

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.11804 of 2018
Date of Decision: 28.03.2018**

Jaswant Singh and another

.....Petitioners

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. J.P.S. Brar, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. L.S. Dandiwal, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Petitioners seek grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.165 dated 24.08.2017 registered under Section 307/34 IPC at Police Station Maur, District Bathinda.

Complainant Jagdeep Sharma got the FIR registered with the allegations that on 23.08.2017, his father made a call to his mother that he was about to start from Gurudwara Sahib after locking the same. When he did not turn up, the

complainant made search. Mobile of the father of complainant was picked up by one Balraj Singh @ Babby who told the complainant that his father has met with an accident. On reaching the spot, the complainant saw his father lying on the ground. Complainant showed suspicion in respect of alleged occurrence.

Prosecution has recorded statement of Harpreet Singh son of Kulwant Rai in the context of threat perception given by Pargat Singh and others. Statement of Ranjit Singh son of Harnek Singh was recorded on 04.09.2017 to show that Pargat Singh was a driver of motorcycle on which two of the co-accused were sitting as pillion riders. They were duly armed with iron pipe and sticks. The said witness could not make any statement on 24.08.2017 being out of village.

Learned counsel for the petitioners submitted that very recording of the statement on 04.09.2017 would be debatable as to the exact version projected by the witness after a period of 11 days.

Evidently, there is no eye-witness of the alleged occurrence.

Learned State Counsel on instructions from ASI Farwinder Singh duly assisted by learned counsel for the

complainant submitted that sticks have been recovered from the petitioners. The victim is in very precarious situation.

Co-accused Pargat Singh has been granted regular bail by this Court vide order dated 14.02.2018 passed in CRM-M No.5202 of 2018. The complicity of the petitioner would be debatable with reference to material on record. Petitioners are in custody since 05.09.2017. Challan has already been presented. Trial of the case may take some time in its culmination.

In view of above, at this stage, without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioners on regular bail subject to their furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 28, 2018.

Prince

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No