

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

CRM-M-23375-2018 (O&M)

Date of Decision:- 10.7.2018

Jallandhar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kamal Narula, Advocate, for the petitioner.

Mr. Kuldeep Singh, Sr. DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

Petitioner Jallandhar Singh has filed this petition seeking grant of regular bail in respect of a case registered against him vide FIR No.226 dated 12.12.2015, under Sections 323, 148, 149 of Indian Penal Code, 1860, registered at Police Station Sadar Fazilka, District Fazilka; Sections 302, 325 IPC added later on.

The allegations in nutshell are that the FIR was lodged at the instance of Makhan Singh wherein it has been alleged that he was given a gandasi blow by Mehnga Singh which hit on the left side of flank and that Ashu son of Mehnga Singh gave a blow with the stick on his right knee and that present petitioner Jallandhar Singh son of Mehnga Singh gave a blow with stick hitting the right flank. It is further alleged therein that Dilawar

Singh, Sukhdev Singh, Harnek Singh, Suman Rani, Ram Singh, Bimla Rani, Lal Singh and another about 5 unknown persons also gave beatings and used abusive language. It is further alleged that thereafter Arjun Singh, Manjeet Singh and Mukhtiar Singh came there to rescue the complainant and others but they were also caused injuries. Arjun Singh on account of the injuries sustained by him lost his life.

Upon investigation the challan was presented against Mehnga Singh and Jalandhar Singh while the remaining accused were kept in column No.2.

A perusal of the FIR indicates that it is the co-accused Mehnga Singh who had inflicted a blow with gandasa on the person of the complainant. A perusal of post mortem report of Arjun Singh reveals that he had sustained several injuries including injuries on the parietal region. The present petitioner is stated to be armed with a stick and the specific allegation against him is that he had caused an injury to the complainant on right flank.

It has been informed that out of 14 witnesses, only 2 witnesses have been examined so far. The petitioner is behind bars since the last more than two and a half years. Conclusion of trial is likely to take some time. No useful purpose will be served by detaining the petitioner behind bars any further.

Having regard to the facts and circumstances of the case and the role attributed to the present petitioner, in my opinion it is a fit case for grant of regular bail. The petition is as such accepted and petitioner-Jalandhar Singh is ordered to be released on regular bail on his furnishing bail

bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, Fazilka.

This petition stands accepted accordingly.

July 10, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No