

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

1. CRM-M-29730-2018

Narain Singh

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-32225-2018

Jaskaran Singh @ Jassu

...Petitioner

Versus

State of Punjab

...Respondent

3. CRM-M-33047-2018

Sohan Singh

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision: 10.10.2018

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Manvinder Singh Bal, Advocate
for the petitioner in CRM-M Nos. 29730 & 32225 of 2018.

Mr. P. S. Ahluwalia, Advocate
for the petitioner in CRM-M No. 33047 of 2018.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

RAMENDRA JAIN, J. (Oral)

This common order shall dispose of above titled three

petitions under Section 439 of the Code of Criminal Procedure for grant of regular bail to petitioners Narain Singh, Jaskaran Singh @ Jassu and Sohan Singh in case FIR No. 049 dated 20.03.2018 under Sections 307, 324, 34 of IPC, Section 25 of the Arms Act and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act registered at Police Station Sadar Patti, District Tarn Taran.

As per prosecution story, in the evening of 18.03.2018, petitioner-Sohan Singh armed with 12 Bore DBBL gun and petitioners Narain Singh and Jaskaran Singh @ Jassu having *Datars* accompanying the main accused Bohar Singh caused injuries to complainant Rashpal Singh alias Kala with their respective weapons. Petitioner-Sohan Singh and main accused Bohar Singh also fired at him. Consequently, the pellet hit on the chest and leg of the complainant. On raising alarm by the mother and wife of the complainant, the petitioners fled away on seeing the gathering of people at the spot.

Learned counsel for the petitioners contend that the prosecution story is completely false, inasmuch as petitioner-Sohan Singh has been shown to be armed with 12 Bore DBBL gun, which he was not possessing with him on account of the fact that it was already lying in Police Station Sadar Patti, District Tarn Taran much prior to the occurrence against receipt (Annexure P-5). It is a case of version and cross version between the parties. There are five accused from the complainant side. None of them has been arrested till date. Whereas all the alleged assailants from the petitioners' side have been arrested including main accused, Bohar Singh. Injury attributed to Jaskaran @

Jassu is simple in nature that too, not on vital part of the complainant, whereas he himself has suffered grievous injuries at the hands of the complainant party falling under Section 326 IPC. It is yet to be ascertained as to who was the aggressor party.

Petitioner-Sohan Singh is in custody, since 24.05.2018, petitioner-Narain Singh is in custody, since 16.06.2018 and petitioner Jaskaran Singh @ Jassu is in custody since 02.04.2018. No recovery has been effected from them. Framing of charges and conclusion of trial may take a long time. No useful purpose would be served by detaining them in jail.

On the other hand, learned State counsel is vehemently opposing the above submission of learned counsel for the petitioners.

In view of the totality of facts and circumstances, but without expressing any opinion on the merits of the case, the petitions are allowed. Consequently, petitioners Narain Singh, Jaskaran Singh @ Jassu and Sohan Singh, are ordered to be released on bail pending trial on their furnishing adequate bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

A photocopy of this order be placed on the file of connected cases.

10th October, 2018

shabha

**[RAMENDRA JAIN]
JUDGE**

*Whether speaking/reasoned
Whether Reportable*

*Yes/No
Yes/No*