

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-37905 of 2018

Date of decision: December 11, 2018

Jagmeet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Aman Dhir, Advocate for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

Rajan Gupta, J.

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Sections 308, 341, 323, 506, 427, 148, 149 IPC, at Police Station City Gidderbaha, District Sri Muktsar Sahib (Section 307 IPC was added and Section 308 IPC was deleted later on).

Learned counsel for the petitioner has argued that petitioner has been falsely implicated in the case. He has submitted that co-accused Bhola Singh has already been released on bail by this court.

Prayer has been opposed by the State counsel on the ground that all accused in furtherance of their common intention assaulted the complainant party with intention to kill. Thus, petitioner does not deserve concession of bail.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was registered on complaint of one Baljit Singh with the allegations that on 19.10.2016, petitioner alongwith accused Baljinder Singh @ Binder, Surinder Singh @ Chhinda, Bhola Singh and three unidentified persons armed with deadly weapons assaulted complainant, his brother Rajwinder Singh @ Raja and his cousin Ranjit Singh @ Kala. Allegation against the petitioner is that he gave reverse side of *Gandasa* blow on left side of head of Rajwinder Singh alias Raja.

Keeping in view entire facts and circumstances of the case, I am of the considered view that petitioner is not entitled to concession of regular bail at this stage. There is an eye-witness account of the whole occurrence. Name of the petitioner figured in the initial version given by the complainant. I am not convinced with the plea that petitioner deserves concession of bail on parity with co-accused Bhola Singh. During the course of hearing, this court was apprised that a compromise has been arrived at between the parties. In my considered view, compromise can be of no avail at the fag end of the trial when material prosecution witnesses have supported the prosecution case and injuries caused are grievous in nature.

In view of above, petitioner is not entitled to concession of regular bail at this stage.

Dismissed.

(RAJAN GUPTA)
JUDGE

December 11, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No