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

**CRM-M No.40869 of 2017(O&M)
Date of Decision: 21.02.2018**

Jagmeet Singh

.....Petitioner

Vs

State of Haryana

.....Respondent

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

Present: Mr. N.S. Shekhawat, Advocate with
Mr. Rajiv Sidhu, Advocate for
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.191 dated 01.05.2016 registered under Sections 148, 149, 180, 323, 302, 506, 427, 120-B IPC and Sections 25/54/59 of the Arms Act at Police Station Pehowa.

Prosecution story started with the allegations that on 30.04.2016 at about 6:30 PM, Lovedeep Singh, Kamaljit Singh and Harmandeep Singh after playing volleyball, parked their motorcycle in front of Gaurav Kariyana Store. Kamaljit Singh made telephonic call to Jagroop Singh i.e. brother of Lovedeep

Singh to come to Navdeep Market, Pehowa. After some time, Jagroop Singh came there and parked his car near Gaurav Kariyana Store. When they were coming out from Navdeep Market, three cars i.e. Verna, Innova and Bolero along with 2-3 motorcycles came there. Lakhwinder Singh @ Lakhi and his brother Maan Singh armed with iron rod, Jagmeet Singh and Yadwinder Singh armed with gandasies, Khushwant Singh armed with 12 bore country made pistol, Harshdeep, Maninder Singh, Harmanjit Singh, Jatinder Singh @ Gora, Gopi Hundal, Bhola Gujjar (Randhir), Harjash and Manjot were armed with lathies, dandas and sharp edged weapons, alighted from the vehicles. Lakhwinder Singh and Maan Singh raised *lalkara* that they be taught a lesson for previous quarrel. Lovedeep Singh and his companions started running, but Jagroop Singh fell down. Maan Singh repeatedly inflicted iron rod blows on the head of Jagroop Singh. In the meanwhile, remaining accused also reached there and started beatings Jagroop Singh with lathies and dandas. 2-3 gun shots were also fired by Khushwant Singh. Believing Jagroop Singh to be dead, assailants fled away from the spot.

In the original version, no injuries with gandasies were pleaded on the person of Jagroop Singh. The allegations were that Lakhwinder Singh and Maan Singh raised *lalkara*. Maan

Singh repeatedly inflicted iron rod blows on the head of Jagroop Singh and the remaining accused inflicted injuries with lathies and dandas. Lovedeep Singh brother of the deceased and Amarjeet Singh have not supported the case of the prosecution. The prosecution has recorded the statements of Gaurav, Gurjant and Hanuman. Gaurav has not named the petitioner viz-a-viz the injury caused by gandasi. Gurjant has named the petitioner, but no specific role with regard to inflicting injury by gandasi has been pleaded. Hanuman has shown the presence of the petitioner standing at the spot, but no role with regard to inflicting injury with gandasi was pleaded. 14 accused have been arrayed in the case. 9 accused are in custody, whereas 5 accused have been declared to be proclaimed offenders. Out of 64 cited witnesses, only 7 prosecution witnesses have been examined so far. Next date before the trial Court is 06.04.2018.

The above statement of facts has not been controverted by learned State Counsel on instructions from Sub Inspector Jagdish Chander.

Taking into consideration the facts and circumstances of the case and without meaning anything on the merits of the case, at this stage, I deem it appropriate to enlarge the petitioner on regular bail who is in custody since 30.01.2017, subject to his furnishing adequate bail bonds and surety bonds

to the satisfaction of the trial Court/Duty Magistrate.

Accordingly, this petition is allowed.

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

February 21, 2018.
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No