

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

287

CRM-M No.44898 of 2017

Date of Decision: January 23rd, 2018

Jarnail Singh @ Pritam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Piyush Sharma, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail.

Mr. Gurmeet Singh Saini, Advocate, has put in appearance on behalf
of the complainant and filed memorandum of appearance. Same is taken on record.

It is the contention of counsel for the petitioner that the petitioner is in
custody since 05.03.2017.

Custody certificate produced in Court, taken on record.

Counsel for the petitioner contends that the petitioner in the FIR has
been attributed injury No.5 on the person of Sardool Singh with the reverse side of
sword on the waist. Referring to the medico legal report of injured Sardool Singh,
he contends that the 5th injury is only a reddish bruise. His further contention is
that in the other incident where he is stated to be armed with a sword and is
attributed injuries on the person of Sukhdev Singh but except for one injury on
the head which has been attributed to Harmesh Singh with *kappa*, no injury has
been found on his person. He thus contends that the petitioner who is in custody
since March 2017, may be granted the concession of regular bail, especially when
similarly placed other co-accused namely Teja Singh, Channa Singh, Piara Singh
and Binder Singh have been granted concession of regular bail by this Court.

Counsel for the State, on the other hand, contends that the petitioner had been attributed an active role as far as attacking the injured with a sword is concerned and in fact the injury has been found on the person of Sardool Singh. He contends that even at the 2nd incident where ultimately Sukhdev Singh died, he was again armed with a sword and, therefore, it cannot be said that the petitioner is not involved in these incidents.

Counsel for the complainant also vehemently submits that keeping in view the involvement of the petitioner and the common intention with which both these incidents had taken place, petitioner should not be granted the concession, as has been prayed for.

Having considered the submissions made by the counsel for the parties and keeping in view the role as has been attributed to the petitioner and the injury ultimately attributed and found on person of Sardool Singh, the trial which is not likely to conclude soon as also the fact that the other co-accused namely Teja Singh, Channa Singh, Piara Singh and Binder Singh have already been granted the benefit of regular bail, the present application is allowed.

Petitioner-Jarnail Singh @ Pritam Singh is directed to be released on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate/trial Court, Ferozepur.

January 23rd, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No