

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

CRM-M No.49758 of 2017

Date of Decision: 24.07.2018

Jaswant Singh @ Jassa Singh

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. C.L. Pawar, Sr. D.A.G., Punjab.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.85 dated 01.10.2017 registered under Sections 326/452/324/323/427/34 IPC at Police Station Sadar Gurdaspur, District Gurdaspur Punjab.

Learned counsel for the petitioner submits that initially the FIR was registered under Sections 326/452/324/323/427/34 IPC at Police Station Sadar Gurdaspur, District Gurdaspur Punjab but subsequently, the offence under Section 326 IPC was added. He further submits that after presentation of challan, the charge was also framed and the complainant-injured was examined. Thereafter, an application under Section 319 Cr.P.C was moved by the prosecution, which has been allowed. Now it will be a *de novo* trial and may take some time to conclude. The petitioner is in

custody for more than nine months. Learned counsel also submits that co-accused of the petitioner, namely, Harmanpreet Singh approached this Court by way of filing **CRM-M No.47603 of 2017** and vide order dated 19.12.2017, he has been released on regular bail.

Learned State counsel has not disputed the custody period and also the factum of release of co-accused on regular bail.

Heard the arguments of learned counsel for the parties and have also perused the allegations levelled in the FIR.

Co-accused of the petitioner, namely, Harmanpreet Singh has been released on regular bail vide order dated 19.12.2017 passed by this Court. Petitioner is having custody of more than nine months and now after allowing the application under Section 319 Cr.P.C., the trial may take some time to conclude as it would be a *de novo* trial.

Accordingly, the present petition is allowed and petitioner, namely, Jaswant Singh @ Jassa Singh is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

24.07.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No