

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

**CRM-M No. 19497 of 2019
Date of Decision:-09.12.2019**

Jagdeep Singh @ Jaggu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Ranjodh Singh Sidhu, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Jagdeep Singh @ Jaggu has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 45 dated 06.4.2018, under Sections 379-B (2), 427, 473, 34 IPC, registered at Police Station Jandiala, District Amritsar. The petitioner is in custody since 06.12.2018.

The FIR in the present case was registered on the statement of complainant Mandeep Singh, wherein it was stated that on 05.04.2018 at about 11/11:30 P.M., he parked his car opposite Rajbir Dhaba at G.T. Road, village Bandala and after taking meal from the said Dhaba, he slept in his

car and at about 2:30 A.M., two young men having beards came in a Swift car and took away his car along with his 2 mobile phones.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. He submits that it is on the disclosure statement, suffered by co-accused Jagroop Singh @ Rupa, petitioner has been indicted in this case and the said statement is not admissible in evidence. He submits that the trial is likely to consume some time as till date the prosecution has not examined even a single witness and, therefore, further custody of the petitioner may not be justified. He further relies upon the order dated 29.11.2019 in CRM-M-43600 of 2019 passed by this Court, whereby co-accused Gurpreet Singh @ Gopi has been extended the concession of regular bail.

On the other hand, learned State counsel, who is assisted by SI Balraj, filed the custody certificate by way of affidavit of Baljeet Singh, Deputy Superintendent, Central Jail, Amritsar, and opposed the prayer on the ground that the petitioner is involved in six more cases. However, he does not dispute that till date no witness has been examined by the prosecution and co-accused Gurpreet Singh @ Gopi has been released on bail.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further custody may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction

of the trial Court, Amritsar.

The petition is allowed.

December 09, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No