

CRM-M-45111 of 2018

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

CRM-M-45111 of 2018
Date of Decision: 14.01.2019

Karanpreet Singh @ Giani

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Ramesh Sharma, Advocate, for the petitioner.
Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.202 dated 24.11.2017 registered under Sections 302, 148, 149 IPC {Section 201 IPC and Section 3(2-V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 added later on} at Police Station Division No.5, District Police Commissionerate, Jalandhar.

According to the prosecution, in the evening of 23.11.2017, 6/7 unknown young persons armed with deadly weapons like swords, datars and baseball bats etc. committed murder of Ashok Kumar by causing injuries with their respective weapons near Babu Jagjiwan Ram Chowk, Jalandhar. Consequently, police registered aforesaid FIR. During investigation, complicity of one Jaspal Singh was found. On his arrest on 26.11.2017, he,

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admitted his guilt and got effected recovery of sword used by him in the commission of crime. He also named petitioner Karanpreet Singh @ Giani as his accomplice in his disclosure statement for participating in the commission of crime and causing injuries with his baseball bat to deceased Ashok Kumar.

Learned counsel for the petitioner *inter alia* contends that petitioner was not named in the FIR. His complicity in the crime on the basis of disclosure statement of co-accused is a very weak type of evidence. Alleged extra-judicial confession made by Jaspal Singh along with his co-accused before one Sheetal is a deliberate attempt of the police to falsely implicate the petitioners. Petitioner is behind bars since 19.02.2018. Final report under Section 173 Cr.P.C. has been submitted, but framing of charge-sheet and conclusion of trial may take a long time. No useful purpose would be served by keeping the petitioner behind bars. Treating the case of the petitioner on the same party as that of his co-accused namely, Happy, Jaspal Singh @ Shera, Ajay Pal Singh @ Nihang, Arshdeep Singh @ Gelu and Swaroop Singh @ Roop, who have been granted regular bail by this Court vide orders passed in CRM Nos. M-24081, 4383, 37046, 40465 and 40460 of 2018, respectively, he may also be enlarged on regular bail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case and considering the case of the petitioner on the same party as that of his aforesaid co-accused, the petition is allowed. Consequently, petitioner is ordered to be released on

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bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

January 14, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No