

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

CRM-M No. 609 of 2019

Date of decision : January 21, 2019

Jaswant Singh @ Jassa

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No. 127, dated 14.08.2012, registered under Sections 302, 506, 148, 149 of the IPC and Sections 25/27 of the Arms Act, at Police Station Daba, District Ludhiana.

Custody certificate has been filed, as per which the petitioner has been in custody for 2 years 2 months and 14 days.

Counsel for the petitioner has argued that the only allegation against the petitioner is that he was present at the spot but no overt act has been attributed to him, and that not even a single witness has been examined.

Learned Sr. DAG Punjab has accepted these factual assertions

but has justified the non-examination of the witnesses on the ground that

earlier the petitioner was declared proclaimed offender and was apprehended only after the trial had come to an end. Counsel for the petitioner has accepted this but stated that two of the other persons who were similarly named in the FIR as being present at the spot have been acquitted. Learned Sr. DAG Punjab has accepted this also.

As per the custody certificate, there are two other cases registered against the petitioner. Counsel for the petitioner states that the petitioner has been acquitted in those cases. Learned Sr. DAG Punjab, on instructions from ASI Satwinder Singh, has accepted this.

In these circumstances, without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

January 21, 2019
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No