

108.

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

CRM-M-20328-2020 (O&M)

Date of decision: 04.11.2020.

JAGDEV SINGH @ MEGHA AND ANOTHER

... Petitioners

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Manpreet Singh Dua, Advocate,
for the petitioners.

Mr. N.K. Banka, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

CRM-20148-2020

Prayer in this application filed under Section 482 Cr.P.C. is to place on record copy of order dated 16.07.2020 passed in CRM-M-17010-2020 as Annexure P-3.

For the reasons stated in the application, same is allowed and the document-Annexure P-3 is taken on record.

CRM-M-20328-2020

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioners in case FIR No.91 dated 27.08.2019 registered under Sections 302/379/149 of IPC registered at Police Station Zira, District Ferozepur.

As per the FIR, it is on account of death of Harmanjot Singh, the petitioners have been named as accused with the allegation that they have murdered the son of the complainant by administering him some intoxicant substance.

Learned counsel for the petitioners relies upon order dated 16.07.2020 passed by this Court in ***CRM-M-17010-2020*** titled as ***Ranjit Singh Versus State of Punjab*** wherein the co-accused was admitted on bail by this Court. He submits that petitioner No.1-Jagdev Singh @ Megha is in custody for about 1 year and 2 months and petitioner No.2-Baldev Singh @ Debu is in custody for about 1 year. As against 19 witnesses cited by the prosecution, not even a single witness has been examined. The son of the complainant was drug addict. He was admitted in Drug Addiction Centre (Maroorh Khosa Dal Singh Wale, District Ferozepur) for a substantial period of time and it is after discharge from the Drug Addiction Centre, he died because of overdose of some intoxicant substance. No injury was found on the person of the deceased.

Learned State counsel has filed the custody certificates of the petitioners, which are taken on record. He, on instructions from ASI Dilbagh Singh, does not dispute the custody and the fact that no witness has been examined. He is fair enough in admitting that the co-accused Ranjit Singh against whom there are similar allegations, has been admitted on bail by this Court in CRM-M-17010-2020 vide order dated 16.07.2020.

I have heard learned counsel for the parties.

Considering the fact that the co-accused Ranjit Singh has been admitted on bail by this Court vide order dated 16.07.2020 and the

petitioners are in custody for more than 1 year and as against 19 witnesses, no PW has been examined so far, and the culpability of the petitioners is yet to be established during trial, this Court deems it appropriate to admit the petitioners on bail.

Accordingly, the present petition is allowed and the petitioners are admitted on regular bail subject to their furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

CRM-M-20146-2020

Prayer in this application filed under Section 482 Cr.P.C. is to prepone the date of hearing of the main case.

Since the main case has been decided, the present application has become infructuous and dismissed as such.

(HARI PAL VERMA)
JUDGE

04.11.2020
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.