

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

CRM-M-21399-2020 (O&M)

Date of decision: 04.08.2020

Jasbir Singh @ Jasvir Singh @ Jassi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. S.K. Sharma, Advocate for the petitioner.

Mr. J.P. Ratra, DAG, Punjab.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This second petition for regular bail has been filed by petitioner Jasbir Singh @ Jasvir Singh @ Jassi, aged about 29 years, an accused in FIR No.15 dated 18.03.2017, for offences under Sections 304, 323 and 34 IPC (Section 302 IPC added later on), registered with Police Station Mukandpur, District SBS Nagar.

In nutshell, the prosecution story is that, criminal machinery in this case was set into motion by complainant Mandeep Kaur wife of Mohan Lal, resident of Basti Bazigar, Aur, District SBS Nagar, aged about 60 years, who in her statement made to the police stated that her husband Mohan Lal, aged about 65 years had retired from Army and used to reside at home; on 18.03.2017 at about 9.00 AM, while the complainant was cleaning the drain in the street and her husband was

attaching a pipe with the tap, in the meanwhile, Sukhdev @ Rana son of Tarsem Lal, having a kahi (spade), his son Jasvir Singh @ Jassi (present petitioner) armed with a gandhali and wife Palo came there and asked from them as to why they had piled up the garbage in the street near their haveli; all three of them started abusing them; Jasvir Singh gave a blow from reverse side of gandhali to Mohan Lal, hitting him on left side of the chest; Mohan Lal fell down; complainant fell down on Mohan Lal in order to save him; then Sukhdev Singh gave kahi blows from reverse side to the complainant hitting her on right hand and on left arm bicep; Palo dragged the complainant by pulling her hair and gave beatings to her; Sukhdev Singh gave kahi blows to Mohan Lal while Mohan Lal was lying down on the ground; all the three assailants had caused injuries to Kirandeep and Lakhwinder sons of Roshan Lal grandsons of the complainant; Mohan Lal had died on the spot; the complainant-injured was admitted to CHC Mukandpur. Formal FIR was registered. Accused was arrested in this case on 19.03.2017. On completion of investigation and other formalities, the challan has been filed against the accused.

Petitioner/accused Jasbir Singh @ Jasvir Singh @ Jassi had filed a petition for grant of regular bail before the trial Court, which was dismissed by Addl. Sessions Judge, SBS Nagar, vide order dated 19.06.2020. As such, he has approached this Court, craving for grant of similar relief, which request is being opposed by learned State counsel.

I have heard learned counsel for the parties besides going through the record and I find that there is no merit in the petition. As per prosecution story, the fatal blow to deceased Mohan Lal had been

inflicted by petitioner-accused Jasbir Singh @ Jasvir Singh @ Jassi; in that way, he is the main culprit. The trial is at the fag end. The prosecution is said to have already completed its evidence, though, on account of Covid Pandemic, the working of the Courts has been affected for some time but hopefully things will be back to normal very soon. The guilt of the accused shall be determined on conclusion of trial. Therefore, no ground for grant of regular bail to the petitioner during pendency of the trial is made out. The petition being without merit stands dismissed.

04.08.2020

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(H.S. MADAAN)
JUDGE

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