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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.25331 of 2020 (O&M)
Decided on: 03.11.2020

Jagseer Singh @ Jagsir Singh @ Sira

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.0031 dated 07.02.2019 registered under Sections 307, 323, 325, 34 IPC at Police Station City Mandi Dabwali, District Sirsa.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of the injured/complainant, Nirmal Singh, on 06.02.2019, he was present at his house. It is further stated that in the FIR that he is running a Karyana Store and when his mother Manjit Kaur, opened the door of the shop, Jagir Kaur and Nasib Kaur started abusing the complainant and his mother and in the meantime, the petitioner Jagseer Singh, came there on his Maruti car bearing registration No.DL-4-CH-4258 and drove the same towards the complainant side with intention to kill them. The front tyre of the car crushed the left leg of the complainant

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and again, Jagseer Singh drove it back, crushing his leg. Thereafter, his mother Jagir Kaur asked him to hit Sukhwinder Kaur and in that process, his mother also sustained injuries on her leg. Many persons gathered at the spot and thereafter, the accused ran away from the spot.

Counsel for the petitioner has further submitted that during the investigation, Jagir Kaur and Nasib Kaur were found innocent and the petitioner was arrested.

Counsel for the petitioner has further submitted that the petitioner is in custody since 08.02.2019 and despite a lapse of more than 1 ½ years, after recording the statement of the complainant, an application under Section 319 Cr.P.C. was moved in which the aforesaid two ladies were summoned as an additional accused and they have been granted the concession of anticipatory bail by this Court.

Counsel for the petitioner has further argued that without prejudice to his right of defence, the petitioner is ready to compensate the injured persons namely Nirmal Singh and Sukhwinder Kaur by paying a compensation of Rs.1,00,000/- each, subject to final outcome of the trial.

Counsel for the State could not dispute the factual position but opposed the prayer for bail. It is also not disputed that the petitioner is not involved in any other case.

After hearing the counsel for the parties, considering the fact that the petitioner is in custody for the last 1 ½ years; after allowing the application under Section 319 Cr.P.C., the trial will start de novo; the petitioner is a handicapped person; he is not involved in any other case and also in view of the fact that the petitioner has volunteered to

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pay a compensation of Rs.1,00,000/- each to both the victims/injured without prejudice to his right of defence, subject to final outcome of the trial, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

The petitioner will hand over a demand draft of Rs.1,00,000/- each favouring the victims/injured at the time of furnishing the bail/surety bonds.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

03.11.2020
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Whether speaking/reasoned Yes/No

Whether reportable: Yes/No