

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M- 35044 of 2020

Date of Decision: 04.11.2020

Jaspreet Singh alias Chuchu

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Mandeep Kumar Dhot, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, Assistant Advocate
General, Punjab for the respondent.

Anil Kshetarpal, J.

The petitioner-Jaspreet Singh alias Chuchu son of Sham Singh, prays for grant of regular bail pending trial in a criminal case arising from FIR No. 122, dated 13.05.2020, registered under Section 302, 427, 148, 149 and 120-B IPC (Section 201 IPC was added lateron) and Section 25 of the Arms Act, 1959, at Police Station Lehra, District Sangrur.

As per the case of the prosecution, Paramjit Kaur lodged the FIR with the allegations that her brother Lovepreet Singh alias Kalu, on receipt of a telephone call from Lakhwinder Singh alias Lakhi, went away from home and subsequently his dead body was found in the area of grain market.

Learned counsel for the petitioner contends that the petitioner was not named as an accused in the FIR and he is sought to be indicted as an accused on the basis of supplementary statement of the first informant, recorded on the next day of the day of the occurrence. He further contends that neither any arms nor any other material connecting the petitioner has been recovered on his disclosure statement. He submits that there was no eye-witness of the alleged murder and the petitioner is sought to be indicted

informant.

On the other hand, Mr. Sofat has submitted that the co-accused, of the petitioner, had also disclosed that the petitioner was involved in the crime. He submits that as per the disclosure statement of the co-accused, the petitioner exhorted the mob who had gathered at the place of occurrence to kill the deceased.

The attention of the Court has not been drawn to any forensic or scientific evidence to connect the petitioner with the alleged offence. The petitioner is in custody since 14.05.2020. Mr. Sofat has admitted that the petitioner does not have any criminal antecedents. On completion of the investigation, the challan has been presented in the Court and conclusion of the trial is likely to take time.

Keeping in view the aforesaid facts and without expressing any opinion on the merits of the case, it is considered appropriate to direct the petitioner to be released on regular bail as the conclusion of the trial is likely to take time. Hence, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the learned Area Judicial Magistrate/Chief Judicial Magistrate/Duty Magistrate.

(Anil Kshetarpal)
Judge

November 04, 2020

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No