

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

CRM-M-44998 of 2019

DATE OF DECISION :- February 19, 2020

Jagroop Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present:- Mr. Harchand Singh Batth, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

This petition for regular bail has been filed by petitioner Jagroop Singh, an accused in DDR No. 27 dated 18.9.2015 for offences under Sections 307,342,427,148,149,34 IPC and 25, 27 of the Arms Act registered with Police Station Khilchian, District Amritsar Rural in F.I.R. No. 60 dated 16.9.2015 under Sections 307,148,149 IPC and Sections 25 and 27 of the Arms Act.

Briefly stated the facts of the case as per prosecution story are that DDR was recorded on the basis of statement of Kanwaljit Singh son of Avtar Singh resident of village Pheruman, wherein he stated that on 16.9.2015 at about 4.00 P.M. while he was going to his village to drop Harman Singh on his motor cycle and was at a little distance from the farmhouse of Gursewak Singh then Jugraj Singh and his brother Jagroop

Singh sons of late Daler Singh, residents of village Bhalojla along with Gurjant Singh son of Babu Baba and Gursewak Singh son of Kashmir Singh were standing on the way blocking the passage. On seeing them they started hurling abuses. Jugraj Singh and Gurjant Singh were having country made pistols. On lalkara being raised by Gursewak Singh, Jugraj Singh and Gurjant Singh started firing shots from their respective country made weapons. Shot fired by Jugraj Singh hit the complainant on inner side of his right thigh and he fell down. When several people started gathering at the spot then the assailants ran away therefrom along with their respective weapons.

Jagroop Singh could not be arrested in this case and was declared a proclaimed offender. He was ultimately arrested on 23.7.2019 and he is in custody since then. The challan is said to have been filed in the main case as well as regarding the counter version and trial is going on in the Court. Jagroop Singh had moved an application for regular bail before the Court of Sessions at Amritsar, however, it was declined by Additional Sessions Judge, Amritsar vide order dated 16.9.2019, therefore he has approached this Court for grant of similar relief, which request is opposed by the State counsel.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Even as per the prosecution story petitioner Jagroop Singh was not carrying any weapon at the time of incident and had not caused any injury to the complainant or the person accompanying him. Though he had committed default of keeping away from the law and enforcement agency

and in which process being declared a proclaimed offender but then a period of more than six months has elapsed from the date of his custody.

The conclusion of trial is likely to take some time. His further detention is not going to serve any useful purpose, therefore, the petition is accepted. Petitioner Jagroop Singh is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Amritsar. However, it is made clear that in case the petitioner is found indulging in any criminal act at a later stage, his order granting bail shall be liable to be withdrawn.

Since the petitioner had been declared a proclaimed offender earlier, the trial Court would require him to furnish two sound sureties having documentary proof of the immovable property within the jurisdiction of that Court.

(H.S. MADAAN)
JUDGE

February 19, 2020
p.singh

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