

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-52771-2019 (O&M)
Date of Decision:-6.2.2020

Gurjant Singh and another ... Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Madan Lal Saini, Advocate for the petitioners.

Ms. Rashmi Attri, Assistant Advocate General, Punjab,
assisted by SI Satnam Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.2 dated 20.1.2019 at Police Station Singh Bhagwantpur, District Ropar under Sections 323, 304 and 34 of Indian Penal Code.
2. Mr. R.S. Sekhon, Advocate has today put in appearance on behalf of the complainant and has filed Vakalatnama, which is taken on record.
3. The FIR was lodged at the instance of Gurpreet Singh, wherein it has been alleged that on 19.1.2019 when he was returning back home, then he was waylaid by Jaspreet Singh @ Jassa, his brother Gurjant Singh, his father Balwinder Singh and Vicky. It is alleged that the said persons were armed

with iron rods and with another sharp edged object and caused injuries to Gurpreet Singh. In the meantime, the parents of complainant Gurpreet Singh came there and tried to rescue the complainant, during the course of which complainant's mother was given a push and who fell down and became unconscious and ultimately expired.

4. The learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in the present case and it is infact a case of natural death and the petitioners never had any intention to cause death of the complainant's mother.
5. Opposing the petition, the learned State counsel assisted by the learned counsel for the complainant has submitted that since the petitioners are specifically named in the FIR and are also alleged to be armed with weapons, no case for grant of bail is made out. It has, however, been informed that the petitioners have been behind bars since the last more than one year. It has further been informed that out of cited 18 PWs only 5 PWs have been examined so far.
6. The learned counsel representing the complainant has, however, submitted that the matter has been amicably resolved amongst the parties and the misunderstandings have been cleared.
7. I have considered rival submissions addressed before this Court.
8. Having regard to the facts and circumstances of the case and while noticing that the petitioners have been behind bars since the last more than one year and till date only 5 PWs out of cited 18 PWs have been examined, further detention of the petitioners would not serve any useful purpose as the conclusion of trial is likely to take some time.

9. The petition, as such, is accepted and it is ordered that the petitioners be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

6.2.2020
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No