

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

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**CRM-M-54119-2019(O & M)
Date of Decision: 16.11.2020.**

Jagdeep Singh @ Gagandeep Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr.Jasminder Singh Thind, Advocate for the petitioner.

Mr.H.S.Multani, AAG Punjab.

None for the complainant.

Lalit Batra, J . (Oral):

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Jagdeep Singh @ Gagandeep Singh** in case F.I.R. No.182 dated 27.10.2017 under Sections 148,302,323 and 324 IPC read with Section 149 IPC and Section 25 of Arms Act, registered at Police Station Ajnala, District Amritsar.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that allegedly petitioner gave a *dattar* blow below right bicep on the person of Jagdev Singh(since deceased), whereas injuries on left ear upon head on the person of Jagdev Singh (since deceased) have been attributed to co-accused namely Lovedeep Singh, Chanchal Singh and Paramjit Singh. He further urges that injury attributed to petitioner is not on the vital organ of the body and, therefore, same has not resulted into the death of Jagdev Singh. He further urges that co-accused Arshdeep Singh to whom *dattar* blow on the right bicep of Jagdev Singh(since deceased) was attributed, said Arshdeep

Singh has already been granted concession of regular bail by this Court, vide order dated 05.10.2018 in CRM-M-43240 of 2018. He further submits that case of petitioner falls on parity as that of co-accused Arshdeep Singh. He further submits that petitioner is in custody since 22.04.2019 and he is no more required by the police for any investigation purpose. He further urges that challan has been presented in the Court and trial has already commenced. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition as well as reply furnished at the instance of respondent-State.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that co-accused namely Arshdeep Singh, whose case falls on parity as that of petitioner has already been granted the concession of regular bail by this Court; that petitioner is in custody since 22.04.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has been presented in the Court; that trial has already commenced and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-Jagdeep Singh @ Gagandeep Singh is allowed and he is ordered to be

released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Amritsar, as the case may be.

November 16, 2020

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(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No