

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

Sr. No.205

CRM-M-1996-2021

Date of decision: 05.03.2021

Jagroop Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Lupil Gupta, Advocate for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No. 214 dated 31.10.2020 under Sections 307, 148, 149 IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station Boha, District Mansa.

The petitioner is being prosecuted for having given a gun shot injury to Kuldeep Singh.

Learned counsel for the petitioner *inter alia* contended that the petitioner has been falsely implicated in the case due to political rivalry in the village; the petitioner has not caused any injury to Kuldeep Singh; there is no medical evidence of any fire arm injury on the person of Kuldeep Singh; as a matter of fact Kuldeep Singh did not even get himself medically examined; it is a case of version and cross-version; the complainant side were the aggressors and had attempted to murder members of the petitioner side; a case under Section 307 IPC stands registered at the behest of the petitioner against the complainant side; the report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is not in a position to influence the investigation and that the petitioner's trial which

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has attempted to murder Kuldeep Singh and if released on bail he is likely to indulge in similar activities.

As to which side was the aggressor would be deciphered during the course of the trial. However, the petitioner has already been in custody since 31.10.2020; there is no medical evidence with regard to the alleged injury caused by the petitioner on the person of Kuldeep Singh; it is a case of version and cross version; the report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is not in a position to influence the investigation and the petitioner's trial which is yet to begin is likely to take a long time to conclude especially in the present circumstances when the world is facing the Covid-19 pandemic.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Mansa, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

(Deepak Sibal)
Judge

05.03.2021
hemlata

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>