

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

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**CRM-M-8361-2021
Decided on : 25.02.2021**

Jagdeep Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. D.S. Pheruman, Advocate
for the petitioner(s).

Mr. Ramandeep Sandhu, Sr. DAG, Punjab
assisted by ASI Harjinder Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 20, dated 23.03.2017, under Sections 307, 452, 506, 336, 148, 149 IPC read with Section 25/27 of the Arms Act 54 of 1959, registered at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner *inter alia* contends that the petitioner was not named in the FIR in question and his name figured in the supplementary statement made by Dalbir Singh (Annexure P-2) recorded on 31st March, 2017 i.e. eight days after the occurrence in question. It has been submitted that it was in the supplementary statement, wherein, it was stated that petitioner was one of the unidentified assailants at the time of alleged occurrence. It has further been submitted even in the supplementary statement, the petitioner was not attributed any injury nor was there any allegation that the petitioner fired at the complainant party with the firearm, which he was allegedly carrying at the time of alleged occurrence. Learned counsel has thus prayed for concession of regular bail, as the petitioner has been in custody since 06th October, 2018 and only charges have been framed so far, hence,

there is no likelihood of the trial concluding any time in the near future. He is also seeking concession of bail on the ground that co-accused Jang Bahadar Singh, has been extended the concession of bail by the trial Court vide order dated 02.11.2018 (Annexure P-4).

Per contra, learned State counsel has opposed the prayer and submissions made by learned counsel for the petitioner. He has, however, not been able to controvert the factual aspect of the submissions made by the learned counsel for the petitioner with respect to the role of the petitioner in the crime in question. Learned State counsel has submitted that indeed the petitioner and co-accused Jang Bahadar Singh are similarly situated, as no injury was attributed to the Jang Bahadar Singh as well, who has since been enlarged on bail.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 25, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*