

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

**CRM-M-20312-2021 (O&M)
Date of decision: 08.11.2021**

Jagjit Singh @ Babu

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. A.S. Sandhu, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 234 dated 06.12.2020, registered under Sections 307, 379-B, 353, 186, 188, 34 IPC, (Section 25 of the Arms Act added later on), and Section 51 of the Disaster Management Act, 2005, at Police Station Dharamkot, District Moga.

The status report by way of affidavit dated 06.10.2021 of the Deputy Superintendent of Police, Dharamkot, District Moga, already filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case. The injuries allegedly attributed to the petitioner are on the nose and the left arm of the complainant. The

petitioner has been in custody since 08.12.2020. Moreover, two co-accused, namely, Ajay Singh and Harpreet Singh, have already been granted regular bail. There is no other case against the petitioner.

Learned State counsel, while vehemently opposing the prayer for bail submits that five accused were arrested and AK47 and one .315 pistol along with 5 live cartridges were recovered from them. However, he does not dispute the custody period of the petitioner and submits that prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 08.12.2020. The injuries attributed to the petitioner are on the nose and left arm of the complainant. The prosecution witnesses are yet to be examined, therefore, the conclusion of the trial would take a long time. Moreover, there is no other case against the petitioner and two co-accused have already been granted regular bail. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

08.11.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No