

CRM-M-26330-2021

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

CRM-M-26330-2021

Date of decision: 08.09.2021

Ranjodh Singh @ Jodha

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Amardeep Singh, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Status report dated 04.09.2021, by way of affidavit of the Deputy Superintendent of Police, Rural, District Gurdaspur, filed in the Court today, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.03 dated 04.01.2021, registered at Police Station Dhariwal, District Gurdaspur, under Sections 302, 341, 342, 148 and 149 IPC.

Learned counsel for the petitioner contends that Lovepreet Singh, who had allegedly been attributed a brick blow on the head of Reka (since deceased), has been kept in column No.2 and that co-accused, namely, Prince who had been ascribed a similar role to the petitioner, has also been kept in column No.2 at the time of presentation of challan. He further contends that the petitioner was neither named nor attributed any

CRM-M-26330-2021

role in the FIR. There is only allegation against the petitioner that he while standing near the place of occurrence, was encouraging the other accused to commit the crime. The petitioner has been in custody since 12.01.2021.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner, submits that there are serious allegations against the petitioner and because of the act of the petitioner and co-accused, one Reka had lost his life in the occurrence. However, he does not dispute the custody period of the petitioner and the factum of exonerating Lovepreet Singh and Prince by the Investigating Agency while presenting the challan. It is also submitted that the charges are yet to be framed.

I have heard the learned counsel for the parties.

In the present case, one Lovepreet Singh, who had allegedly been attributed a brick blow on the head of the deceased, has been found innocent by the investigating agency during the investigation and kept in column No.2 while presenting the challan. Moreover, Prince who too had been ascribed a similar role to the petitioner, has also been kept in column No.2 at the time of presentation of challan. The petitioner has been in custody since 12.01.2021 and the charges are yet to be framed. Trial is unlikely to conclude any time soon, especially due to Covid-19. Therefore, 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 present petition is allowed and the petitioner is ordered to be released on bail on his

CRM-M-26330-2021

furnishing bail and surety bonds to the satisfaction of the learned trial
Court/Duty Magistrate.

08.09.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No