

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

CRM-M-27076-2021 (O&M)
Date of decision: 07.12.2021

Jagdeep Singh @ Jagjit Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Salil Dev Singh Bali, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, AAG Punjab.

Mr. Aman Dhir, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this 2nd petition, the petitioner seeks grant of regular bail in case bearing FIR No.262 dated 28.09.2020, registered under Section 304 and Section 302, 452, 450, 120-B IPC (added later on), which was changed to Sections 304, 450, 34 IPC, vide supplementary challan dated 23.02.2021, at Police Station Kotbhai, District Shri Muktsar Sahib, Punjab.

Learned counsel for the petitioner submits that the petitioner is a cousin brother of Harjinder Singh, who is brother-in-law of deceased, namely, Kulvir Singh @ Kamir Singh; that only fist blows have been attributed to the petitioner; that co-accused, namely Harjinder Singh has been attributed kick blows and that the petitioner has been in custody since

30.09.2020. He further submits that as a matter of fact, it was the petitioner who took the deceased to the hospital in his car and that as per the Post Mortem Report, no injury was detected on the person of the deceased.

Learned State counsel assisted by the learned counsel for the complainant, while vehemently opposes the prayer for bail submits that the petitioner is closely related to the deceased, as his cousin sister was married to the deceased and the petitioner had knowledge about the health condition of the deceased. However, he does not dispute the custody period of the petitioner and the factum that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.09.2020. No injury was detected on the person of the deceased. The prosecution witnesses are yet to be examined. The conclusion of the trial would take a long time. 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

07.12.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No