IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

110+224 **CRM-30144-2021 in/and**
CRM-M-35353-2021
Date of Decision:22.09.2021

Sukhdeep Singh @ Mogli ....Applicant/Petitioner

Versus

State of Punjab ....Respondent

***

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Arjun Veer Sharma, Advocate for applicant/petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

****

Lalit Batra, J.(Oral)

CRM-30144-2021

This is an application under Section 482 Cr.P.C. for placing on record copy of commitment order dated 23.07.2021 (Annexure P/5).

Document (Annexure P/5) is taken on record, subject to all just exceptions.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Sukhdeep Singh @ Mogli** in case FIR No.06 dated 22.01.2021 under Sections 148, 307, 323, 324, 427 and 506 IPC read with Section 149 IPC (Sections 325 and 336 IPC added later on) and Sections 25 and 27 of Arms Act, registered at Police Station Sadar Jagraon, District Ludhiana Rural.

VARINDER PRASHAD
2021.09.22 18:09
I attest to the accuracy and
integrity of this document

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that allegedly simple injury by means of sharp edged weapon on the person of injured-Gurtej Singh has been attributed to petitioner. He further urges that grievous injuries by means of blunt weapons on the person of injured-Gurtej Singh as well as use of fire-arm have been attributed to co-accused Jagdeep @ Jaggu and others. He further urges that co-accused namely Harmanjot Singh and Rajwinder Singh have already been extended the concession of regular bail by this Court, vide order dated 22.07.2021 passed in CRM-M-24874-2021. He further urges that co-accused Jagdeep @ Jaggu has been admitted to bail by Sessions Court, vide order dated 19.08.2021. He further submits that petitioner is languishing in custody since 09.03.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition.

VARINDER PRASHAD
2021.09.22 18:09
I attest to the accuracy and
integrity of this document

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 09.03.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Sukhdeep Singh @ Mogli** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Ludhiana, as the case may be.

(LALIT BATRA)
JUDGE

22.09.2021
Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No

VARINDER PRASHAD
2021.09.22 18:09
I attest to the accuracy and
integrity of this document