

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

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CRM-M-42919-2020 (O&M)

Date of Decision: 24.03.2021

Jagdev Singh @ Jodha Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Karamjit Singh Chahal, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Surjit Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

CRM-9203-2021

In view of the reasons mentioned in the application, the same is allowed and the order dated 10.02.2021 is taken on record.

CRM-M-42919-2020

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.75 dated 01.06.2020 at Police Station Chhajli, District Sangrur, under Sections 341/323/148/149/188 IPC (Sections 302/307 IPC added later on).
2. The FIR was registered at the instance of Amritpal Singh, wherein it has been alleged that on 01.06.2020 at about 7:30 A.M. when Mewa Singh, Gurdev Singh, Satnam Singh, Charanjit Kaur, Mangta Singh Satti, Jodha Singh and Kewal Singh were standing

near Dharmshala Street, then complainant's uncle Bhola Singh was passing through the street. The said persons attacked Bhola Singh. It is stated that Satnam Singh gave a blow with '*gandasi*' to Bhola hitting on his head, Satti gave a blow with wooden baton on the right side of Bhola Singh's head. When complainant and his brother Gurdeep Singh tried to rescue him, then Kewal Singh gave a blow with stick to complainant's brother Gurdeep Singh. Mangta Singh is alleged to have given a blow with brick to Gurdeep. Kewal is also stated to have caused injury with stick to Gurdeep on his shoulder. Mewa Singh gave a blow with reverse side of '*gandasi*', which hit in the center of complainant's head while Jodha Singh attacked him with brick. It is further submitted that Gurdev Singh and Charanjeet hurled abuses to them.

3. Learned counsel for the petitioner has submitted that even if the allegations as levelled in the FIR are taken to be correct, still the petitioner is attributed a blow with a brick to the injured/complainant Amritpal Singh only and is not attributed any blow to the deceased. It has further been submitted that it is co-accused Satnam Singh armed with a *gandassi* and co-accused Satti armed with a wooden baton, who had inflicted injuries on the head of the deceased Bhola Singh and who are the main accused.
4. Opposing the petition, learned State counsel has submitted that since the petitioner had accompanied the other accused, who had caused fatal blows to the deceased and the petitioner himself had also caused injuries to the injured/complainant, his intention is clearly evident and as such, he does not deserve the concession of

bail. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 8 months and that he is not involved in any other case.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the aforesaid factual position especially that the petitioner is not attributed any injury to the deceased and as of now has been behind bars for a substantial period of 8 months, his further detention will not serve any useful purpose particularly when he is not even stated to be involved in any other case. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

24.03.2021

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(GURVINDER SINGH GILL)
JUDGE

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