

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

228

CRM-M-1567-2022

Date of Decision : **August 16, 2022**

JAGROOP SINGH @ ROOPA AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Baljinder Singh, Advocate
for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. Anshul Sharma, Advocate for
Mr. Gursimran Singh Madann, Advocate
for the complainant.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.110 dated 14.9.2021 under Sections 307, 379-B, 458, 336, 323, 447, 448, 511, 506, 427, 148, 149 IPC and Sections 25, 27 of Arms Act, registered at Police Station Sadar, Raikot, District Ludhiana Rural.

It has been submitted by the learned counsel for the petitioners that the petitioners are in custody from 18.9.2021 and the investigation of the case has been completed and thereafter challan has been presented before the competent Court. He submitted that it is a case where allegations are that of giving of injuries by a number of persons including the petitioners whereas it is a case of version and cross version wherein one of the accused in the present case, namely, Gurvinder Singh

also received 6 injuries and a cross FIR was also registered in this regard. He further submitted that it is yet to be ascertained at the time of the trial as to who was the aggressor party. He submitted that some of the other co-accused have also been granted anticipatory bail by this Court.

On the other hand, the learned State counsel has submitted that it is correct that the petitioners are in custody from 18.9.2021 and the investigation of the case has been completed and the challan has been presented before the competent Court. He submitted that the police has not registered any cross FIR. However, one of the co-accused in the present case, namely, Gurvinder Singh also received some injuries. He further submitted that it is also correct that the petitioners are not involved in any other case and the other co-accused have been granted anticipatory bail by this Court.

I have heard the learned counsels for the parties.

The petitioners are in custody from 18.9.2021 and as per the learned counsels for the parties the investigation has been completed and thereafter challan has been presented before the competent Court. As per the learned counsels for the parties, no recovery is to be effected from the petitioners and some of the co-accused have been granted anticipatory bail by this Court. Injuries have been received by both sides and it is yet to be ascertained as to who was the aggressor party which can be concluded only at the time of trial. The petitioners are not involved in any other case and considering the fact that they are in custody from 18.9.2021 and the investigation has been completed, no useful purpose will be served in case the custody of the petitioners is continued. Apart

from the same, it is not the case of the State that in case the petitioners are released on bail then they may influence any witness or may tamper with any evidence or may flee from justice.

Consequently, this Court is of the view that the petitioners deserve the concession of regular bail.

In view of the above, the present petition is allowed. The petitioners are ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

August 16, 2022
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No