

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-7910-2021 (O&M)

Date of Decision:- 10.3.2022

Jaswinder Singh @ Jass

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ranbir Singh Sekhon, Advocate, for the petitioner.

Mr. Anmol S. Sandhu, AAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No. 50 dated 27.9.2020, Police Station Arif Ke, District Ferozepur, under Sections 307, 323, 506, 148, 149 of IPC and Sections 25 and 27 of Arms Act.
2. The matter arises out of a dispute between two brothers namely Pratap and Nishan Singh, in respect of a joint land. While Nishan Singh co-accused wanted to sell off the land, his father who was residing with Pratap Singh was not in favour of selling the land. The petitioner is brother-in-law of Nishan Singh and is alleged to have fired at Pratap Singh, Satnam Singh and Rachhpal Singh.

3. Learned counsel for the petitioner submits that the genesis of occurrence has been suppressed in the FIR inasmuch as it is a case of cross-version wherein the petitioner himself also sustained as many as 7 injuries with the help of '*kirpan*' including 6 incised wounds.
4. On the other hand learned State counsel while opposing the petition has submitted that since the petitioner is specifically alleged to have fired at the complainant and two of his neighbors namely Satnam Singh and Rachhpal Singh, who have actually sustained gun-shot injuries, no case for grant of bail is made out. Learned State counsel has however, informed that the petitioner as on date has been behind bars since the last about 1 year and 5 months and that as on date only 3 out of the cited 30 PWs have been examined. It is further submitted that the material eye witnesses i.e. the injured complainant Pratap Singh as well as injured Satnam Singh and Rachhpal Singh have already been examined. It has been informed that the petitioner otherwise has a clean record and is not wanted in any other case.
5. I have considered rival submissions addressed before this Court.
6. It is not in dispute that it is a case of cross-version wherein the petitioner has also sustained as many as 7 injuries including 6 incised wounds. All the three material eye-witnesses have already been examined. Conclusion of trial is likely to consume time as only 3 out of the cited 30 PWs have been examined so far. In these circumstances, further detention of the petitioner is not justified. Without commenting anything on merits, but bearing in mind the aforesaid factual position, the petition, as such, is accepted and the

petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10.3.2022

Mohan

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No