

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

CRM-M-9994-2022 (O&M)

Date of decision: 22.07.2022

Jagjit Singh @ Jagga

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Amandeep Singh Rai, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this 3rd petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 16 dated 28.01.2019, registered under Sections 302, 148, 149, 201 IPC read with Section 34 IPC and later on added Sections 148, 149, 201 IPC, at Police Station Tibba, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the son of the complainant was admitted to the Civil Hospital, where during treatment he died; that the petitioner was involved in the present case on the basis of circumstantial evidence but no specific role or injury has been attributed to him; that the only allegation against the petitioner is that he has called Gurwinder Singh-son of the complainant, to his house and he was also stated to be armed with baseball bat; that the petitioner has been in custody since 29.01.2019 and that

co-accused Jaswant Singh and similarly situated co-accused Vinod Kaushal, have already been granted regular bail by this Court vide orders dated 18.09.2020 and 01.03.2021. He further submits that the petitioner is not involved in any other case.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner along with the co-accused had committed the murder of Gurwinder Singh by calling him in his (petitioner) house. However, he does not dispute the custody period of the petitioner. He submits 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 29.01.2019. The only allegations against the petitioner are that he called Gurwinder Singh (since deceased) in his house, but no specific role or injury has been attributed to him. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, 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

22.07.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No