

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-17893-2021 (O&M)**

Jagtar Singh ...Petitioner

Versus

State of Punjab ...Respondent

(II) CRM-M-30140-2021 (O&M)

Butta Singh ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision: 06.07.2022**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Rajesh Punj, Advocate, for the petitioner
in CRM-M-17893-2021.Mr. Ishan Gupta, Advocate, for the petitioner
in CRM-M-30140-2021.Mr. Harbir Sandhu, AAG, Punjab,
assisted by ASI Paramjit Singh.Ms. Harpreet Kaur Arora, Advocate,
for the complainant.**GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose of aforesaid two petitions filed on behalf of Jagtar Singh and Butta Singh, seeking grant of regular bail in respect of a case registered against them vide FIR No.104 dated 13.11.2020 at Police Station Jodhan, District Ludhiana, under Sections 302/307/452/427/506/148/149 IPC (Section 120-B IPC added later on).

2. The FIR in question was lodged at the instance of Manjeet Singh, wherein it is alleged that his uncle Chamkaur Singh was beaten to death by Amandeep Singh, Amritpal Singh, Gurjant Singh, Himmat Singh, Gurdas Singh, Hari Singh and Gurmukh Singh with the help of weapons like sticks, iron pipes, *gandassa* and baseball bat. The said persons are also alleged to be accompanied by some unidentified persons.
3. Learned counsel for the petitioners have submitted that an attempt has been made to rope in a large number of accused and that none of the petitioners was ever named in the FIR and nor any specific injury is attributed to any of the unidentified persons and they came to be nominated as accused on the basis of a supplementary statement of the complainant recorded after about 4 days of the occurrence. Learned counsel for the petitioners have further submitted that the petitioners in any case have been behind bars for a substantial period and as such are not required to be further detained particularly when other identically situated accused, namely, Sukhwinder Kaur, Karam Singh and others have already been granted bail by this Court.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant has submitted that since the complainant himself has nominated the accused in the supplementary statement and the deceased was found to have sustained as many as 8 injuries, it goes without saying that a large number of accused must have participated in committing murder of the deceased Chamkaur Singh. Learned State counsel has not disputed the fact that the petitioners came to be nominated on the basis of supplementary statement. It has also been informed that while Jagtar Singh has been behind bars since the last about 1 year & 7 months,

petitioner Butta Singh has been behind bars since the last about 1 year & 5 months and that none of the petitioners has ever been involved in any other case. It has been informed that while charges are yet to be framed in the present case, the prosecution has cited as many as 30 PWs.

5. I have considered rival submissions addressed before this Court.
6. Without making any detailed comments on the merits of the case, but while noticing that the petitioners came to be nominated on the basis of a supplementary statement and otherwise have a clean record and have been behind bars since the last more than 1 year & 5 months and the trial has not even commenced till date, further detention of the petitioners will not serve any useful purpose as the conclusion of trial will take some time. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. A photocopy of this order be placed on the connected file.

06.07.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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