

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18933-2022

Date of Decision: 29.07.2022

JAGBIR SINGH

..... Petitioner(s)

Versus

STATE OF HARYANA

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Munish Garg, Advocate
for the petitioner.

Mr. Narender Singh Behgal, AAG, Haryana.

LISA GILL, J.

Prayer in this petition is for grant of bail pending trial in FIR No.183, dated 30.04.2019 under Sections 307, 120-B IPC and Section 25 of the Arms Act, registered at Police Station Sadar Sonapat, District Sonapat.

As per allegations in the FIR, which is registered on the statement of complainant Baljeet Singh, when the complainant on 24.04.2019 was returning from his fields at about 6:00 P.M. then Monu son of Jagbir Singh stopped his motorcycle in front of the complainant and threatened the complainant that he would be shot on speaking too much. It is stated that fields of the complainant and Monu were adjoining to each other and an altercation had taken 5 – 6 months prior thereto. In the meantime, Sumit son of Raj Singh also came to the spot and stated that as the complainant was strong, they did not wish to quarrel with him. Holding this grudge, Monu's father Jagbir Singh i.e. the present petitioner is stated to

have shot at the complainant on 28.04.2019 in the street opposite the gate of the temple. Petitioner is stated to have fled from the spot after firing at the complainant. Complainant was taken to the hospital by his uncle. Petitioner was arrested on 30.04.2019.

As per status report by way of affidavit dated 21.07.2022 of Ms. Nikita Khattar, IPS, Additional Superintendent of Police, Sonipat, it is disclosed that petitioner had retired from the Indian Army in the year 1999 and had brought his loaded 32 bore revolver and fired at the complainant in the street in front of temple. It has further come on record that 32 bore cartridge case was recovered from the spot. FSL report dated 27.09.2019 has been attached with the status report which indicates complicity of the petitioner. The complainant was treated at FIMS Hospital, Sonipat. Complainant admittedly suffered fire arm injury on the left side of his chest. As per doctor's opinion, there is presence of entry and exit wound. Complainant unfortunately died on 12.09.2019 at Safdarjang Hospital, New Delhi though as per the hospital record cause of death is due to Aneurysmal bleed and his death is not linked to the fire arm injury sustained by the complainant as per the opinion of the doctor placed on record along with the status report. However, learned counsel for the State, on instructions from SI Pawan, submits that trial is at the fag end and only two witnesses remain to be examined. Said witnesses, it is submitted, shall be examined without fail on the next date of hearing and no further adjournment shall be taken by the prosecution.

Keeping in view the facts and circumstances of the case, I do not find any ground to grant the concession of bail pending trial at this stage. Petition is accordingly dismissed. However, keeping in view the

period of custody undergone by the petitioner, it is directed that the trial be concluded expeditiously and preferably within three months of the next date fixed before the learned trial Court.

It is clarified that any observations in this order are confined for the purpose of decision of this petition only and shall have no bearing on the trial.

29.07.2022

Sunil

(LISA GILL)
JUDGE

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