

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

CRM-M-20687 of 2022 (O&M)

DECIDED ON: 19th May, 2022

Jasdeep Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Atul Goyal, Advocate for petitioner.

Mr. Amit Mehta, Sr. DAG Punjab.

Mr. M.S. Ghumman, Advocate for complainant.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No. 95 dated 2.7.2020, under Sections 304, 34 IPC, registered at Police Station Punjab Agriculture University (PAU), District Police Commissionerate Ludhiana.

The FIR was registered at the instance of the Dharamjeet Kaur. As per the case set up Shinder Kaur was married to the brother of the complainant. They took divorce 25-26 years back, she remarried and had two sons namely Loverpreet Singh (wrongly named as Jaspreet Singh in the FIR) and Jasdeep Singh (petitioner). As per the allegations on 29th June, 2020, at about 9:30 p.m. petitioner and Lovepreet Singh gave beating to the brother of the complainant Gurmail Singh at Shaheedan Gurudwara Village Talwara. In the next morning, complainant with her nephew reached Shaheedan Gurudwara and took her injured brother to ESI hospital from where he was referred to PGI, where he succumbed to injuries. The grudge of re-marriage of Shinder Kaur is stated to be motive behind the incident.

Learned counsel for the petitioner submits that there is a case of blind murder. Petitioner was falsely implicated due to the grudge. He further relies upon the fact that complainant in deposition has not supported the case of the prosecution. Dharamjeet Kaur-complainant has stated that it is not known to her who committed murder of her brother. It is further argued that petitioner is in custody since 21.9.2020, no recovery is to be made from him.

Learned State counsel opposes the prayer for grant of bail and submits that trial is progressing and out of seventeen prosecution witnesses four have been examined.

Without commenting upon the merits of the case and upon the deposition of the complainant, considering the custody period, co-accused was granted bail, the petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous.

19th May, 2022

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>