

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

Sr. No.209

CRM-M-26350-2022

Date of decision : 8.12.2022

Jagpreet Singh @ Jagga

.....Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr.SS Majithia, Advocate for the petitioner

Mr.Manipal Singh Atwal, DAG, Punjab

AMAN CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.21 dated 4.2.2021 under Sections 302, 364, 201, 34 IPC at Police Station Kathu Nangal, District Amritsar.

Learned counsel submits that the allegations against the petitioner are having caught hold the deceased. He further submits that the petitioner, who is a young boy of 22 years, is in custody since 9.2.2021. Co-accused, Jashan Singh @ Jashan, who is similarly placed as him having been alleged to have caught hold, has since been granted regular bail vide order dated 10.10.2022, as also, the main accused, Navdeep Singh @ Ghulla, who attributed the injury to the deceased, has been released on bail vide order 18.8.2022. The petitioner is not involved in any other criminal case. Out of a total of 18 PWs, only two have been examined as yet.

Affidavit of Himanshu Bhagat, Station House Officer, Police Station Bhindi Saidan, Amritsar (Rural) alongwith custody certificate of the petitioner filed by the learned State counsel is taken on record.

Learned State counsel opposes the bail petition on the ground that the petitioner after preparation with common intention had caused the offence. However, he is unable to controvert the fact that the petitioner is in

custody since 9.2.2021 and there are a total of 18 PWs, out of which only two have been examined and he is not involved in any other criminal case.

Heard.

Keeping in view the facts and circumstances of the case, in particular that the petitioner, who is 22 years old, is in custody since 4.2.2021; co-accused have already been released on bail; since, only 2 PWs have been examined out of 18, the conclusion of the trial will take a considerable time, his further detention behind bars would not serve any useful purpose, thus, the present petition for grant of regular bail deserves to be allowed.

As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to him not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurise/ intimidate the prosecution witnesses.
3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall surrender his passport, if any, and will not leave the country without the permission of the Trial Court.
5. The petitioner shall not commit an offence similar to the offence of which, she is an accused, or for commission of which he is suspected of.
6. The petitioner shall not directly or indirectly coerce, inducement, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
7. The petitioner shall not in any manner misuse his liberty.
8. The petitioner will furnish correct mobile number and residential address and shall not change the same without prior intimation to the trial Court.

It is made clear that in case of any infraction of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as

granted to the petitioner by this order.

Nothing stated hereinabove be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made above, which have only been made for the purpose of adjudicating the present petition for grant of regular bail.

8.12.2022
gsv

(AMAN CHAUDHARY)
JUDGE

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