

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-36656-2021 (O&M)

Date of Decision:-1.12.2022

Jaidev Dhingar @ Jajju

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naresh Jain, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.242, dated 3.9.2018, Police Station City Sangrur, District Sangrur, under Sections 302 and 34 of Indian Penal Code.
2. The FIR was lodged at the instance of Karamjit Kumar @ Ravi, wherein it is alleged that on 2.9.2018, when he was present at his home, then at about 10:58 p.m. his brother Charanjit @ Chidi called him on his phone and told him that he and his wife Pooja were in their car at Ranbir College Road, Sangrur and that Jassi, Pardeep, Pompi and Jajju (petitioner) had surrounded them at the spot and that they were carrying weapons. Upon receipt of said information, the complainant rushed to the spot, where he found the dead bodies of his brother Charanjit @ Chidi and of his wife Pooja lying on the

road smeared in blood. The complainant alleged that his brother and sister-in-law had been murdered by Jassi, Pardeep Kumar and Anupam @ Pompi and by Jajju (petitioner). The motive alleged is that Jassi and Pardeep Kumar owed some amount to complainant's brother Charanjit @ Chidi.

3. Learned counsel for the petitioner submits that it is a case of blind murder based totally on circumstantial evidence and that infact there is no credible evidence to connect the petitioner with the alleged murder. It has further been submitted that since the trial is proceeding at snail's pace, the petitioner deserves the concession of grant of bail.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR, his complicity is clearly evident and that having regard to the fact that it is a case of double murder, the petitioner cannot be extended the benefit of bail. Learned State counsel has submitted that sufficient evidence had been collected to nail the guilt of the petitioner and that the call-details record collected during the course of investigation fully substantiates that the deceased, shortly before his murder, had called to the complainant. Learned State counsel has, however, informed that the petitioner has been behind bars since the last more than 3 years and 8 months and that as on date only 5 PWs out of the cited 36 PWs have been examined. It has also been informed that the petitioner also stands involved in 6 other cases including 4 cases under Prisons Act.
5. This Court has considered the rival submissions.
6. It is not in dispute that it is a case based totally on circumstantial evidence. Conclusion of trial is likely to consume time inasmuch as only 5 PWs out of the cited 36 PWs have been examined so far. The petitioner has been behind

bars for a substantial period of more than 3 years and 8 months. In these circumstances, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

1.12.2022
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No