

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

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CRM-M-34622-2022

Date of decision: 14.12.2022

ARJUN SEHGAL @ SIDHANT SEHGAL

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Monita Mehta, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARNARESH SINGH GILL , J.(ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.185 dated 27.07.2018, registered at Police Station Rama Mandi, District Police Commissionerate Jalandhar, under Sections 307, 302, 201, 212, 216, 120-B of IPC, Sections 25, 54, 59 of the Arms Act and Section 3(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioner contends that the above noted FIR was registered against some unknown person; that as per the prosecution, two boys with muffled faces fired four gun-shots at Ajay Kumar @ Tona, following which he had succumbed to. He further states that the petitioner has not been named in the FIR; and has been indicted on the disclosure statement

of Jograj @ Joga, who was brought on production warrant on 02.08.2018 and

during interrogation he has named Jagdeep Singh @ Jagga, Mukesh Kumar @ Lala, Gurvinder Singh @ Baba, Arjun Sehgal (petitioner) and Mukul Shergill. It is further submitted that other co accused have already been granted bail by this Court. She further contends that the petitioner has been in custody since 16.10.2019 and out of 23 prosecution witnesses only 10 has been examined. There are seven other cases which are pending against the petitioner and he is on bail in only four cases.

On the other hand, learned State counsel, while opposing the aforesaid submissions of the learned counsel for the petitioner, contends that petitioner has been specifically named by Jograj Singh @ Joga and there is reference of specific whatsapp no. vide which the information was forwarded to the petitioner and it was the petitioner along with co-accused Jagdeep Singh @ Jagga, who committed the murder of Ajay Kumar @ Tona. But he has not disputed the fact that other co-accused namely Jagdeep Singh @ Jagga, is already on bail and material witnesses are yet to be examined.

I have heard the learned counsel for the parties.

In the present case, the case of the prosecution is that one of the co-accused Jograj Singh @ Joga was brought on production warrant on 02.08.2018 and it was on his whatsapp call that the petitioner as well as co-accused Jagdeep Singh @ Jagga were sent to commit the murder of Ajay

Kumar @ Tona; co-accused Jagdeep Singh @ Jagga is already on bail and as far in view of the parity the petitioner is on same footing and he has been in custody since 16.10.2019 and 12 witnesses are yet to be examined. In such circumstances, the trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

14.12.2022

P.Bhatt

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No