

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

**CRM-M-42025-2021 (O&M)**

**Date of decision: 21.01.2022**

Jaswant Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. Dinesh Nagar, Advocate for the petitioner.

Mr. Saurav Khurana, DAG Punjab.

Mr. Sarju Puri, Advocate for the complainant.

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**HARNARESH SINGH GILL, J. (ORAL)**

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 48 dated 16.07.2021 registered under Sections 304, 34 IPC, (Sections 323, 341 and 506 IPC added later on), at Police Station Aur, District SBS Nagar (Nawanshahr).

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The only allegation against the petitioner is that he has abused and threatened loudly and also pelted stones, out of the stones one hit on left foot of Gurpreet Kaur, niece of the complainant. There is no other pending or decided case against the petitioner. The petitioner has been in custody since 17.07.2021.

Learned State counsel assisted by the learned counsel for the complainant, while vehemently opposing the prayer for bail, submits that the petitioner is main accused, who along with his brother has actively participated in the crime; that the brother of the petitioner has pushed the father of the complainant, whose head struck on the floor and later on he died; and due to the said act of the petitioner's brother, the father of the complainant lost his life. However, he does not dispute the custody period of the petitioner and that there is no other case against the petitioner. He submits that Charges has been framed but out of 17 prosecution witnesses, none has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 17.07.2021. The allegation against the petitioner is not serious in nature. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would taken a long time. Moreover, there is no other case against the petitioner. Hence, 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 petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**(HARNARESH SINGH GILL)**  
**JUDGE**

**21.01.2022**

*Mangal Singh*

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No