

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(212)

CRM-M-38150-2022

Date of Decision : September 13, 2022

Jagmeet Singh @ Baggi

.. Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Arshdeep Singh Brar, Advocate, for the petitioner.

Mr. Teever Sharma, Assistant Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

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.62 dated 11.05.2021 registered under Sections 323, 324, 341, 148 and 149 of the IPC, 1860 (Section 307 IPC added later on) and Section 25 of the Arms Act, at Police Station City Moga, District Moga.

Learned counsel for the petitioner submits that the main allegation of inflicting the injury, which has attracted Section 307 of the IPC, is attributed to co-accused namely Sonu Kumar @ Mogli, who has already been extended the concession of bail by the Coordinate Bench of this Court while passing order in CRM-M-20367 of 2022 on 01.08.2022, hence, the petitioner, who has only been attributed a *lalkara* and a baseball

bat, is at much better footing so as to claim the relief as extended to co-accused Sonu Kumar @ Mogli as no injury upon the victim is attributed to him.

Notice of motion.

Mr. Teever Sharma, learned Assistant Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State.

Learned State counsel, on the instructions from ASI Ashok Kumar, submits that the main accused is Sonu Kumar @ Mogli, who was attributed the life threatening injury, has already been extended the bail. Learned State counsel also concedes that the only attribution to the petitioner is of *lalkara* and the baseball bat as weapon but without any injury having attributed to him.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the main accused, who is accused of inflicting the life threatening injury due to which Section 307 IPC has been attracted in the present case, has already been extended regular bail by the Coordinate Bench of this Court coupled with the fact that the petitioner has only been attributed *lalkara* with no specific injury and also keeping in view the fact that out of total 18 witnesses, only one witness has been examined so far and the trial is likely to take some time before it concludes, no useful purpose will be served in keeping the petitioner behind the bars as learned counsel for the petitioner has undertaken before this Court that in case, the petitioner is granted the concession of regular bail, he will not influence the trial or the witnesses in any manner and in case of default of the above

undertaking, State will be at liberty to approach this Court for passing appropriate orders.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

September 13, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No