

CRM-M-38090-2020

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

**CRM-M-38090-2020 (O & M)
Date of decision: 21.01.2022**

Jaswinder Singh @ Golu

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Deepinder Brar, Advocate,
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.30 dated 30.03.2017, registered at Police Station Sadar Raikot, District Ludhiana, under Sections 302, 120-B and 34 IPC.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the petitioner was not present at the time of the alleged occurrence, and that the petitioner has been implicated in the present case on the ground that the complainant had the firm belief that the petitioner alongwith the co-accused had conspired in compelling the deceased to commit suicide. In fact, the Doctor has opined that Jaspal Singh had died due to asphyxia as a result of hanging and the petitioner has no concern with the alleged offences. The petitioner has been in custody since 25.05.2020. Moreover, complainant-Gurpreet Singh, brother of the deceased, while appearing before the trial Court as PW 1 on

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13.12.2021, did not support the prosecution version and was declared hostile.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner for the grant of bail, submits that it is a case of a well-planned conspiracy hatched by the petitioner alongwith the co-accused. The complainant was an eye-witness to the entire occurrence and he had seen the accused hanging his brother on a tree with a rope. The motive behind the murder was that co-accused, Davinder Singh had developed illicit relations with the sister-in-law of the complainant and his brother had prevented Davinder Singh.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 25.05.2020. Except for the complainant (PW 1) who has not supported the prosecution version, remaining witnesses are yet to be examined. Trial of the case would take time to conclude. 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.

21.01.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No