

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

219

CRM-M-40224-2022

Date of Decision : **September 09, 2022**

JAGSIR SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Mohd. Yousaf, Advocate for
Mr. P.S.Dhaliwal, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.20 dated 18.5.2021 under Sections 302, 201, 120-B, 34 IPC, registered at Police Station GRP Sangrur, District Sangrur.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 20.5.2021 which is more than one year and after the investigation of the case, the trial has commenced and the material witnesses have already been examined. He submitted that the complainant while deposing before the learned trial Court did not support the prosecution version and he was declared hostile. He further submitted that even as per the prosecution story, the petitioner was implicated on the basis of his confessional statement that he alongwith other co-accused had put the dead body on the railway track. He submitted that the present case is based upon circumstantial

evidence and it is a case of blind murder. He further submitted that so far as the present petitioner is concerned, he has clean antecedents and is not involved in any other case and he has already faced incarceration for more than one year and material witnesses have been examined. He submitted that since the trial may take long time, he may be considered for the grant of regular bail.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody for 1 year, 3 months and 14 days and he is not involved in any other case. He further submitted that it is also correct that the material witnesses including the complainant have been examined who did not support the prosecution version. He has, however, opposed the grant of regular bail to the petitioner on the ground that the matter is serious in nature and the petitioner himself has confessed his guilty during the course of investigation.

I have heard the learned counsels for the parties.

The petitioner is in custody from 20.5.2021. The material witnesses have been examined. As per the learned counsels for the parties, the complainant has not supported the prosecution version. As per the prosecution, the case is based upon circumstantial evidence and the petitioner is not involved in any other case. Apart from the same, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

In view of the aforesaid position, the present petition is

allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

September 09, 2022
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No