

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18174-2023

Date of Decision: 05.12.2023

Jasbir Singh alias Giani alias Baba

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Jasraj Singh, Advocate
 for the petitioner.

Mr. M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail to him in case FIR No.150 dated 20.07.2020 registered under Sections 302, 307, 324, 323, 427, 148, 149 and 120-B of IPC to which Sections 325 and 201 of IPC have been added later on, at Police Station Mahilpur, District Hoshiarpur.

2. Learned counsel for the petitioner contends that the petitioner was not named in the FIR nor there is any averment in the FIR, which even remotely connects the petitioner with the commission of the crime. As per him, the petitioner was arrayed as an accused on the basis of the statement suffered by Shivshant, injured after several days of the occurrence. It has been falsely alleged that the petitioner had caused an injury to the deceased with an iron rod and had also caused injuries to the Shivshant, injured. However, there was no injury of an iron rod from the present petitioner and no specific role was

assigned to him. Learned counsel further contends that in the present case, seven co-accused of the petitioner have already been granted the concession of regular bail by this Court and their details as follows:-

1. *Sukhpreet Singh @ Sukha was granted regular bail vide order dated 03.08.2022 in CRM-M-17315-2021.*
2. *Jaskamalpreet Singh was granted regular bail vide order dated 03.08.2022 in CRM-M-40706-2021.*
3. *Teja was granted regular bail vide order dated 21.09.2022 in CRM-M-42690-2022.*
4. *Gurpreet Singh @ Gopi was granted regular bail vide order dated 21.10.2022 in CRM-M-47627-2022.*
5. *Akshay Kumar was granted regular bail vide order dated 27.10.2022 in CRM-M-42411-2022.*
6. *Akashdeep Singh was granted regular bail vide order dated 15.11.2022 in CRM-M-51557-2022.*
7. *Roshan @ Roshan Adhikari was granted regular bail vide order dated 19.12.2022 in CRM-M-49653-2022.*

3. He further contends that three co-accused have already been ordered to be discharged. The petitioner was arrested in the present case on 24.05.2022 and is in custody for the last more than 01 year and 06 months. He further contends that one more case has already been registered against the petitioner, however, the petitioner is on bail in the said case.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and his complicity stood proved from the challan and other related documents.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, seven similarly placed co-accused, namely, Sukhpreet Singh @ Sukha, Jaskamalpreet Singh, Teja, Gurpreet Singh @ Gopi, Akshay Kumar, Akashdeep Singh and Roshan @ Roshan Adhikari have already been granted the concession of bail by this Court. The petitioner is in custody for the last more than 01 year and 06 months and further custody of the petitioner will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

05.12.2023

hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No