

CRM-M-31705-2023 -1-

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(223)

CRM-M-31705-2023
Date of decision:- 15.11.2023

Jagveer Singh ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Satbir Singh Gill, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, Punjab.
for State-respondent.

Ms. Shubreet Kaur, Advocate
for the complainant.

SUVIR SEHGAL, J. (ORAL)

1. Instant petition has been filed under Section 439 Cr.P.C. seeking grant of post-arrest bail in:-

FIR No.	Dated	Police Station	Sections
61	28.04.2023	Sadar Dhuri, District Sangrur	304, 337, 338, 427, IPC (later on Sections 201 and 511, IPC were added)

2. Version of the prosecution is that FIR, Annexure P-1, has been registered by Ranjit Singh, wherein he stated that on 27.04.2023, his brother, Sukhdeep Singh, was travelling on a motorcycle along with his wife, Supinderjit Kaur, and the complainant was following them on his two wheeler. At about 08:15 P.M., he saw an *Endeavour* car bearing PB 13 BG

3232, which was being driven rashly by Harveer Singh, hit the motorcycle of his brother and sped away. He started taking care of his brother and sister-in-law and called Hardeep Singh, who came with his friend, Inderjit Singh, to the spot of occurrence and they got both the injured admitted in the hospital, but they succumbed to the injuries. A tractor driver and another car driver helped Harveer Singh hide his vehicle.

3. Counsel for the petitioner contends that neither the petitioner has been named nor any role has been ascribed to him in the FIR, Annexure P-1. He submits that in the supplementary statement recorded by the complainant on 08.05.2023, it has been alleged that the petitioner was travelling with Harveer Singh in his vehicle and both of them were under the influence of intoxicants and after hitting his brother's motorcycle, petitioner told Harveer Singh to flee from the spot as they have done their job. Counsel urges that a perusal of the FIR as well as the supplementary statement shows that Harveer Singh had enmity with the deceased, whereas there is no such allegation qua the petitioner. Counsel asserts that the petitioner is in custody since 22.05.2023 and the challan has been presented, but the charge has not been framed. It is his submission that trial has not started and the petitioner, who enjoys clean antecedents, deserves to be enlarged on bail.

4. *Per contra*, State counsel, upon instructions from ASI, Gurmail Singh, has opposed the petition. He submits that specific allegations have been levelled against the petitioner by the deceased's mother in her supplementary statement.

5. Counsel for the complainant has placed on record copy of interim orders passed by the learned Additional Sessions Judge, Sangrur to submit that an application has been filed for framing of charge under Sections 302, 34, 120-B and 201, IPC, which is pending consideration. She submits that the petitioner was hand in glove with the main accused, Harveer Singh.
6. I have heard counsel for the parties and considered their respective submissions.
7. Noticing the nature of allegations levelled against the petitioner, as also the fact that he has been named in the supplementary statement of the complainant, which has been recorded after twelve days of the alleged incident, the stage of the proceedings and the length of custody, this Court is of the view that the petitioner deserves to be enlarged on bail.
8. Without adverting to the merits or demerits of the arguments addressed by counsel for the parties, petition is allowed. Petitioner is ordered to be released on bail on furnishing adequate bail/surety bonds to the satisfaction of the Area Magistrate/Duty Magistrate/Trial Court concerned.
9. Nothing said hereinabove shall be construed to be an expression of opinion on the merits of the case.

15.11.2023
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No