

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.136+217

CRM-8455-2023 in/and
CRM-M-34672-2022 (O&M)

Date of Decision: 20.02.2023

Jagmeet Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Gurnoor Singh Sethi, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

TRIBHUVAN DAHIYA, J. (ORAL)

CRM-8455-2023

This is an application for placing on record testimonies of PW1 to PW3, as Annexures P-9 to P-11.

Application is allowed subject to all just exceptions and Annexures P-9 to P-11 are taken on record.

CRM-M-34672-2022

This is a petition under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.0248 dated 06.11.2021, registered under Sections 304-B, 498-A and 120-B of IPC at Police Station Tanda, District Hoshiarpur.

Learned counsel for the petitioner has contended that the petitioner has been implicated only on the basis of hearsay evidence and his disclosure statement dated 08.11.2021. Apart from that, there is no other material on record which can connect the petitioner to the alleged offences.

It is further submitted that three of the prosecution witnesses, i.e., the

complainant and two cousins of the deceased, have been examined but they have not supported the prosecution. On similar allegations, the petitioner's mother has already been released on bail by this Court vide order dated 11.07.2022. The petitioner is in custody since 06.11.2021.

Learned State counsel, upon instructions from ASI Paramjit Singh, is not in a position to dispute the submissions made by learned counsel for the petitioner. He, however, opposes the grant of bail on the ground that trial is progressing, and three out of sixteen witnesses have already been examined. He does not deny that the petitioner is in custody since 06.11.2021, and there is no other case pending against him.

Culpability of the petitioner is a matter of trial, which is not likely to be over in near future, as thirteen of the prosecution witnesses are still to be examined. The material witnesses have already been examined, therefore, no useful purpose would be served by confining the petitioner to custody during trial.

In view thereof, the petition is allowed, and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(TRIBHUVAN DAHIYA)
JUDGE

20.02.2023
Maninder

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