

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CRM-M-46176 of 2021

Date of Decision:05.07.2023

Jagdeep Singh @ Jaggu

....Petitioner

Versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Karandeep S. Sidhu, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab

JASGURPREET SINGH PURI, J. (Oral)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.73 dated 25.03.2021, under Sections 307, 323, 324, 148 and 149 IPC and Section 25/27 of the Arms Act, registered at Police Station Kamboj, District Amritsar Rural.

2. It is submitted by learned counsel for the petitioner that the petitioner is in custody for about 2 years i.e. from 27.07.2021. He submitted that the petitioner has been falsely implicated in the present case and rather the name of the father of the petitioner is Narinder Singh and which has been so mentioned as Major Singh in the FIR and there is a doubt with regard to the identity of the petitioner as well. He submitted that be that as it may now all the material

witnesses including the complainant and the son of the complainant have already been examined and none of the witnesses have supported the prosecution version and they have been declared as hostile during the trial. He submitted that the trial of the case may take a long time. He further submitted that the remaining co-accused have already been admitted to bail and therefore the petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. Sarabjit Singh Cheema, learned DAG, Punjab has submitted that it is correct that the petitioner is in custody for about 2 years and all the material witnesses have already been examined and they have not supported the prosecution version. He has however opposed the grant of bail to the petitioner on the ground that the matter is serious in nature.

4. I have heard learned counsel for the parties.

5. It is a case where the petitioner has already suffered incarceration for about 2 years and as per learned counsel for the petitioner, all the material witnesses have already been examined who have not supported the prosecution version and have been declared hostile. Furthermore, it is not the case of learned State counsel that in case the petitioner is released on bail, then he may abscond from justice or influence any witness.

6. In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. However, anything observed hereinabove shall not be treated as an

expression of opinion on merits of the case and is only meant for the purpose of decision of the present petition.

(JASGURPREET SINGH PURI)
JUDGE

July 05, 2023
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No