

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

285

CRM-M-43436 of 2020

Date of Decision:13.07.2023

Jaspreet Singh @ Jaippee

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. G. S. Sandhu, Advocate,
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab

Mr. P. S. Sekhon, Advocate,
for the complainant.

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.156 dated 20.11.2018, under Sections 364-A, 34 IPC (Section 302 IPC added later on), registered at Police Station City Rampura, District Bathinda.

2. It is submitted by learned counsel for the petitioner that it is a case where the petitioner, namely, Jaspreet Singh @ Jaippee is in custody for about four years and eight months and the trial of the case is going at a very slow pace. He submitted that rather three prosecution witnesses have been examined, including the complainant and two more witnesses, one of them is the witness of recovery memo. He submitted that at the time of deposition, the complainant did not support

the prosecution version and he was thereafter declared as hostile. He submitted that the petitioner is not involved in any other case and has clean antecedents and it is yet to be ascertained at the time of trial with regard to the guilt of the petitioner but he has already faced incarceration for about four years and eight months and therefore the petitioner may be considered for the grant of regular bail especially considering the long custody of the petitioner.

3. On the other hand, Mr. Sarabjit Singh Cheema, learned DAG, Punjab has submitted, on instructions from Aaswant Singh, Deputy Superintendent of Police that there is no dispute with regard to the long custody of the petitioner which is four years and eight months and it is also correct that the complainant has already been examined in the present case and did not support the prosecution version and two more witnesses have already been examined. He has however opposed the grant of bail to the petitioner on the ground that the offence is serious and heinous in nature whereby the petitioner alongwith other co-accused had demanded ransom of Rs.2 crores from the complainant who is the father of the deceased and thereafter the police laid a trap and consequently the petitioner and the other co-accused were apprehended and thereafter the body of the deceased was also recovered at their instance. He submitted that in view of the aforesaid seriousness of the offence, the petitioner does not deserve the concession of regular bail.

4. I have heard learned counsel for the parties.

5. It is a case where the petitioner has already faced incarceration for about four years and eight months and as per learned counsel for the parties, the complainant has been examined who did not support the prosecution version and

two more witnesses have already been examined. So far as the antecedents of the petitioner is concerned, the same has not been disputed by learned State counsel and it has brought to the notice of this Court that the petitioner is not involved in any other case. This Court therefore would consider the prayer of the petitioner purely on the basis of long custody of the petitioner which is about four years and eight months. Three prosecution witnesses have already been examined and it appears that the trial of the case may take long time. Therefore, purely considering the long custody of the petitioner, 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, if not required in any other case, subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

6. 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 13, 2023
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No