

N.C. No.2023:PHHC:109706

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

105+209

**CRM-23850-2023 IN/AND
CRM-M-44185-2022 (O&M)
Date of decision: 22.08.2023**

Jagdeep Singh @ Jagga

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Angel Walia, Advocate for the petitioner.

Mr. Jaspal Singh Guru, AAG Punjab.

RAJBIR SEHRAWAT. J. (Oral)

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Learned counsel for the petitioner prays for withdrawal of the present application.

Dismissed as withdrawn.

CRM-26066-2023 & CRM-26084-2023

The present applications have been filed under Section 482 Cr.P.C. for amendment of name of the petitioner in the memo of parties; and for addition of offence under Section 34 IPC and deletion of offence under Section 379-B, 379-B(2) [wrongly mentioned in the petition as 370-B(2)], and 201 IPC in the head note as well as prayer clause of the petition.

Notice in the applications.

Mr. Jaspal Singh Guru, AAG Punjab accepts notice on behalf of the respondent-State and has no objection to the prayer made in the applications.

For the reasons mentioned in the applications, with no objection from State counsel, same are allowed. Amended memo of parties as also amended head note are taken on record. Registry is directed to tag the same at appropriate places.

CRM-M-44185-2022

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.188 dated 13.04.2022 registered under Sections 307 and 379-B IPC and Section 25 of the Arms Act, 1959 (Sections 379-B (2), 364, 397, 201, 467, 468, 471, 474, 482 IPC added later on), thereafter, Section 34 IPC added and Sections 379-B, 379-B(2) and 201 IPC deleted later on, vide Annexure P-14, at Police Station Sohana, District SAS Nagar.

It is submitted by learned counsel for the petitioner that the case against the petitioner is concocted. The petitioner is not involved in any other crime as alleged against him. The name of the petitioner was mentioned in the secret information. Otherwise even during the investigation, the police have not collected any material to show the involvement of the petitioner in the crime. The petitioner is in custody since 25.04.2022. The investigation of the case is already over. The petitioner is not required for any investigation purposes. There is no other case registered against the petitioner. Hence, the petitioner deserves to be released on bail pending trial.

Notice of motion.

Mr. Jaspal Singh Guru, AAG Punjab accepts notice on behalf of respondent-State. Learned State Counsel, on instructions from SI Gurtap Singh, submits that the petitioner is directly involved in the case and his name was mentioned in the secret information. However, it is not disputed by learned State counsel that the nothing has been recovered from the petitioner. It is also not disputed that there is no other case against the petitioner and that the petitioner is in custody since 25.04.2022.

In view the above, but without expressing any further opinion on the

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merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

22.08.2023
S.Sharma(syr)

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