

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

CRM-M-42194-2023

Date of Decision: December 21, 2023

JASPAL SINGH @ JASSA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Dinesh Trehan, Advocate for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 42 dated 03.04.2022 registered under Sections 302, 336, 324, 323, 148 and 149 IPC and Sections 25 and 27 of Arms Act, at Police Station Mamdot, District Ferozepur wherein, the petitioner has been implicated on the basis of a supplementary statement made by the complainant after around 6 months of the incident involving the murder of Karja Singh.

2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the nature and manner in which Karja Singh was murdered besides, the antecedent of the petitioners; his involvement in 4 other cases.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. In the present case, the FIR was got registered at the instance of the brother of the deceased and in the initial version, the petitioner was never named and his name cropped up in a supplementary statement recorded after six months of the incident. Moreover, the petitioner is already behind the bars for a period of more than one year & two months and the challan was presented before the trial Court on 09.11.2022. No recovery of any incriminating material/weapon was effected from him which even creates doubt in the supplementary statement made by the complainant. Considering the fact that the charges have not been framed so far and the trial is definitely going to take some time, this Court does not find justification to extend his incarceration any further.

5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

21.12.2023

Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>