

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

203

CRM-M-49684-2022.

Date of Decision: 31.01.2023

Amandeep Singh @ Jassi

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Munish Raj Chaudhary, Advocate for petitioner.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

Lalit Batra, J.(Oral)

This second petition under Section 439 Cr.P.C has been moved by petitioner-**Amandeep Singh @ Jassi** for grant of regular bail in case FIR No.03 dated 11.01.2020 under Sections 148, 308, 323, 325 and 506 IPC read with Section 149 IPC (Section 304 IPC added lateron), registered at Police Station Sehna, District Barnala.

Learned counsel for the petitioner *inter alia* contends that allegedly in the intervening night of 09/10.01.2020 at about 11:30 PM, petitioner alongwith co-accused inflicted stick blows on the head of Beant Singh (since deceased), whereas no such occurrence as alleged had ever taken place. He further urges that as a matter of fact Beant Singh (since deceased), real brother of complainant-Satnam Singh, had illicit relations with Jinder Kaur wife of Jassi Singh (petitioner), and said Beant Singh in the intervening night of 09/10.01.2020 intruded into the house of petitioner and while escaping scaled the wall and fell down and thereby sustained injuries on his person. He further urges that no injury on the person of Beant

Singh (since deceased) was inflicted by the petitioner. He further urges that no incriminating weapon was recovered at the instance of petitioner and even otherwise alleged weapons of offence were not sent for forensic analysis. He further urges that petitioner is languishing in custody w.e.f. 18.01.2020 and he is no more required by the Investigating Agency for any investigation purpose as after completion of investigation, final report as envisaged under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. He further urges that since petitioner had no nexus in the commission of alleged offence, for the said reason neither PW-1 Satnam Singh (complainant) nor PW-2 Naranjan Singh (father of complainant) have supported the prosecution version. He further urges that on these allegations co-accused Ramandeep Singh @ Sunny has already been admitted to bail by this Court, vide order dated 30.09.2022 passed in CRM-M-36165-2022. He further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

Custody certificate filed by learned State counsel today in the Court is taken on record.

Learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence and attributed role of petitioner in the commission of offence, he does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition, documents placed on record as well as custody certificate of petitioner.

Allegedly in the intervening night of 09/10.01.2020 at about 11:30 PM, petitioner alongwith co-accused gave stick blows on the head of Beant Singh (since deceased), which proved fatal.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 18.01.2020; that petitioner is no more required by the Investigating Agency for investigation purpose as after completion of investigation, final report as envisaged under Section 173 Cr.P.C. (*Challan*) has already been presented in Court; that testimonies of complainant-Satnam Singh (PW-1), Naranjan Singh, father of victim-Beant Singh (PW-2) and Inspector (Retd.) Tarsem Singh (PW-3), Investigating Officer and some more witnesses, have already been recorded; co-accused Ramandeep Singh @ Sunny has already been admitted to bail by this Court, vide order dated 30.09.2022 passed in CRM-M-36165-2022 and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Amandeep Singh @ Jassi** is allowed and he is ordered to be released on bail on his furnishing personal bond and surety bond to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Barnala, as the case may be.

(LALIT BATRA)
JUDGE

31.01.2023

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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No