

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

**CRM-M-6069-2024 (O&M)
Date of Decision:09.02.2024**

Jagdeep Singh @ Deep

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. Monty Goyal, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 96 dated 11.09.2022, registered under Sections 302,34 of IPC, Police Station Payal, District Ludhiana.

2. Learned counsel for the petitioner contends that the FIR was initially registered against unknown persons and there is no averment in the FIR which connects the petitioner with the commission of the crime in any manner. He further contends that the cause of death in the present case is brain hemorrhage, which is ante-mortem in nature and sufficient to cause death in ordinary course of nature. Learned counsel further contends that the petitioner is in custody since 12.09.2022 and no witness has been examined so far. He next contends that almost similarly placed co-accused Jaspreet Singh @ Jassa has already been granted the concession of bail by this Court vide order dated 29.01.2024 (Annexure P-3).

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is the main accused and does not deserve the concession of bail.

4 I have heard the learned counsel for the parties and perused the record.

5. The petitioner was arrested in the present case on 12.09.2022 and is in custody since then. However, the prosecution has not been able to examine even a single witness in the present case so far. Still further, almost similarly placed co-accused Jaspreet Singh @ Jassa has already been granted the concession of bail by this Court vide order dated 29.01.2024 (Annexure P-3). Thus, further custody of the petitioner will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

7. Pending application(s), if any, stand(s) disposed off, accordingly.

(N.S.SHEKHAWAT)
JUDGE

09.02.2024
hitesh

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