

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

2024:PHHC:114124



(226)

**CRM-M-6339-2024(O&M)**  
**Date of Decision: 02.09.2024**

Sarabjeet Singh @ Jagga

--Petitioner

Versus

State of Punjab

--Respondent

**CORAM:- HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU.**

Present:- Ms. Ravinder Kaur Manaise, Advocate for the petitioner.

Ms. Neha Sonawane, DAG, Punjab assisted by  
ASI Ramesh Kumar.

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**MAHABIR SINGH SINDHU, J.**

Petition under Section 439 of the Code of Criminal Procedure, 1973 has been filed for grant of bail pending trial to the petitioner in cross case bearing GD No.36 dated 12.07.2023 under Sections 324, 323, 148 read with Section 149 IPC (Sections 307, 325, 326, 201 IPC added later on) in FIR No.95 dated 12.07.2023, under Sections 307, 452, 326, 324, 323, 341, 148 read with Section 149 IPC registered at Police Station Division No.2, District Pathankot.

2. Allegations are that Harpreet Singh and Ismeet Singh sons of complainant were beaten up by the accused persons including the present petitioner namely Sarabjit Singh @ Jagga, who was armed with Datar and gave a blow of the same on the right leg of complainant and another blow on the thumb of left foot.

3. Contends that it is a case of version and cross-version. Further contends that in compliance of the order dated 06.05.2024, petitioner is

regularly appearing before learned trial Court and there is no apprehension

or allegation that he is likely to misuse the concession in any manner.

4. Learned State Counsel, on instructions, has acknowledged the above factual position; but opposed the prayer of petitioner while submitting that allegations are serious in nature.

5. Heard learned Counsel for the parties and perused the paperbook.

6. This Court, on 06.05.2024, granted interim bail to the petitioner in following manner:-

*“This is a case of version and cross-version, where petitioner suffered injuries and on that account, an FIR No.95 dated 12.07.2023 under Sections 307, 452, 326, 324, 323, 341, 148 read with Section 149 IPC, Police Station Division No.2, District Pathankot, was registered. Further contends that accused in the above FIR, have already been granted the concession of pre-arrest bail.*

*Learned State counsel seeks time to verify the above factual position.*

*Posted for 07.08.2024.*

*In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”*

7. In pursuance of the aforesaid order, petitioner is regularly appearing before learned Trial Court and there is no allegation or apprehension that he has misused the concession or likely to hamper the trial in any manner.

8. In view of the above, no purpose would be served by sending the petitioner in custody at this stage. Consequently, the present petition is allowed. Interim bail granted to the petitioner, vide order dated 06.05.2024,

is made absolute. He shall be admitted to bail on his furnishing bail/surety

bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

10. The above observations may not be construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession of bail on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

12. Disposed off accordingly.  
Pending application(s), if any, shall also stand disposed off.

(MAHABIR SINGH SINDHU)  
JUDGE

02.09.2024  
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| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |