

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

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CRM-M-7782-2024

Date of Decision :05.04.2024

Jaspreet Singh @ Laadi**...Petitioner****Versus****State of Punjab****....Respondent****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Kapil Khanna, Advocate for the petitioner.

Mr. Rohit Ahuja, DAG, Punjab.

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Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.13 dated 12.01.2021 registered under Sections 324, 326, 307, 341, 427, 506, 34, 148 and 149 of the IPC and Sections 25, 54 and 59 of the Arms Act, 1959 at Police Station Goraya, District Jalandhar.

Learned counsel for the petitioner submits that no life threatening injury has been inflicted upon the victim and Section 307 of the IPC has only been invoked keeping in view the intention to kill. Learned counsel for the petitioner further submits that as of now, out of the total 40 cited witnesses, only one witness i.e complainant/victim has been examined and the petitioner is behind the bars for the last more than three years hence, keeping in view the totality of the facts and circumstances of the present

case, petitioner may kindly be granted the concession of regular bail as the petitioner undertakes that he will abide by law and will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded, in any manner.

Learned State counsel concedes the factum that though the injuries inflicted upon the victim are grievous but no life threatening injury has been inflicted upon the victim. Learned State counsel also concedes the factum that out of total 40 cited witnesses, only one witness i.e. complainant/victim has been examined so far

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts, which have been recorded hereinbefore, coupled with the fact that no life threatening injury has been inflicted or attributed to the petitioner and the petitioner is behind the bars for the last more than 03 years and out of the total 40 cited witnesses, only complainant/victim has been examined so far hence, the trial is not likely to be concluded near future, no purpose will be served by keeping the petitioner behind the bar during the entire period of trial.

Even the co-accused has already been granted concession of regular bail by this Court while passing order dated 06.10.2023 in CRM-M-48784-2023 (Annexure P/4) hence, the petitioner has made out a case for the grant of benefit of regular bail especially, when learned counsel for the petitioner has undertaken before this Court that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded in any manner. In case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

April 05, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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