

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-17087-2024 (O&M)
Date of Decision:-18.9.2024

Jagdish Singh @ Disha ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.B.S. Goraya, Advocate for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
41	26.6.2023	Mehta, District Amritsar	379-B(2), 224 of IPC and Sections 25, 27, 54 and 59 of Arms Act

GURVINDER SINGH GILL, J. (Oral)

- The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
- The FIR was lodged at the instance of Rahul Sharma, wherein it is alleged that on 26.6.2023, 3 unknown persons had snatched an amount of Rs.20,000/- from him while he was present at the petrol pump, where he was working as a salesman. It is further alleged that one of the men had also fired a shot from a pistol hitting the complainant on his left foot.
- Learned counsel for the petitioner submits that the petitioner is not named in the FIR and has been nominated as an accused subsequently on the basis of



some secret information received by the police and later on, allegedly got identified by the complainant. It has been submitted that during the course of investigation, the prosecution has recorded disclosure statements of all the accused, as per which it is the co-accused, who had fired and that in these circumstances coupled with the fact that the petitioner has been behind bars since the last more than 1 year, the petitioner deserves the concession of bail. It is further submitted that the petitioner also deserves the said concession on grounds of parity inasmuch as two other co-accused namely Gurtek Singh @ Sahil and Tegwinder Singh @ Jagga have already been granted bail by this Court.

4. Opposing the petition, learned State counsel submitted that since a pistol was recovered from the petitioner, his complicity is clearly evident. It has been submitted that since the petitioner happens to be involved in 2 other cases including 1 case of identical nature, the petitioner does not deserve to be released on bail. It has, however, been informed that the petitioner has been behind bars from the last about 1 year and as on date, only 2 PWs out of cited 18 PWs have been examined.
5. This Court has considered the rival submissions addressed before this Court.
6. Without commenting anything as regards the merits of the case, but having regard to the long custody of the petitioner and the fact that conclusion of trial is likely to consume time inasmuch as only 2 PWs out of cited 18 PWs have been examined so far, further detention of the petitioner will not serve any useful purpose. This Court further finds that since identically situated co-accused Gurtek Singh @ Sahil and Tegwinder Singh @ Jagga have already been granted bail by this Court vide order dated 27.2.2024 passed in CRM-



CRM-M-17087-2024 (O&M) (3)

M-4254-2024 and order dated 23.1.2024 passed in CRM-M-2459-2024, the petitioner also deserves the same concession on grounds of parity.

7. The instant petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

18.9.2024
Geeta

(Gurvinder Singh Gill)
Judge

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