



216

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-27420-2024****Date of Decision: 07.08.2024**

Jagpreet Singh @ Jagga

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Harchand Singh Batth, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.7 dated 28.01.2024 registered under Section 379-B(2) IPC (Sections 201, 341, 323, 324 of IPC were added later on), at Police Station Bhkhiwind, District Tarn Taran.
2. The FIR in the present case was registered on the basis of the statement made by Sukhpal Singh son of Sahib Singh and the same has been reproduced below:-

“Statement of Sukhpal Singh son of Sahib Singh, resident of Kuharka, aged about 34 years, mobile number 98155-72523, stated that I am the resident of abovesaid address, I am posted as Constable in Punjab Armed Police and my number is 9PAP/324, I am performing duty as a gunman of Tejpreet Singh Sandhu@Peter, Former Chairman, Punjab Mandi Board, resident of Bhikhiwind. On 27.01.2024 at about 8 PM, I was going in civil dress from the house of Peter, Bhikiwind by riding



on my motorcycle towards market of Bhikhiwind for purchasing necessary articles, when I reached near sports stadium by going through the village, then from behind, 4 unidentified persons, with muffled faces came by riding on the motorcycles. Out of them one was having dattar, they brought motorcycle in front of my motorcycle, I with great difficulty applied brakes and stopped my motorcycle and then three youngster alighted from the motorcycle, then one was having dattar in his hand, then he inflicted a dattar blow on my head, which hit on the right side of my head above forehead and one unidentified person caught hold my hand, then the third unidentified person tried to snatch my mobile phone from me, I confronted to it, then the unidentified person armed with dattar have inflicted a second blow on my head, which hit on the left side of my forehead, then we scuffled with each other, then during the scuffle, then the muffled faces of unidentified persons got uncovered, then the unidentified person armed with dattar, inflicted dattar blow on my head, in order to save myself, I raised my right hand above, then the dattar blow hit on the outer side of my fingers, I raised alarm, Maar ditta-Maar ditta, then upon seeing the passerby gathering, then the unidentified persons have forcibly snatched my mobile Note Plus 2(8/128), having the sim of Airtel number 99153-26984 and JIO number 62836-49238, iemi number of the same are 865546063908996, 865546063908988 and fled away from the spot by riding on their motorcycle. Upon confronting, I can identity them. Due to being afraid and perplexed, I could not inform the Police Station, yesterday. Today I was coming to inform you at Police Station, you have met, am claimant, legal action be taken against these unidentified persons, statements got recorded, heard and is correct. Sd/- Sukhpal Singh abovesaid attested Sd/- Lakhbir Singh ASI, Police Station Bhikhiwind. Dated 28.01.2024.”



3. Learned counsel for the petitioner contends that the FIR in the present case was registered after delay of 22 hours and the petitioner has been named by the complainant after due deliberations and consultations. He further contends that the petitioner had no concern with the alleged occurrence and was not present at the place of occurrence. He further contends that the petitioner is in custody for the last more than 06 months and no witness has been examined so far.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

6. In the present case, the petitioner is in custody for the last more than 06 months and it is apparent that only charge has been framed against the present petitioner. Thus, the conclusion of the trial may take quite a long time and further custody of the petitioner will not serve any meaningful purpose.

7. 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.

07.08.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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