



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

CRM-M-29615-2024
Date of Decision: 16.09.2024

JASWANT SINGH ALIAS DULLI

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. M.S. Bhatti, Advocate for
 Mr. R.K. Kachura, Advocate for the petitioner.

Mr. Inderjeet Singh, DAG, Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.14 dated 03.02.2024 registered for the offences punishable under Sections 186, 353, 332, 323, 427, 379-B, 506, 148, 149, 120-B of IPC (Section 3 of Prevention of Damage to Public Property Act, added later on) at Police Station City Jalalabad, District Fazilka.

2. The allegations in nutshell are that Harjinder Singh, a driver of Punjab Roadways bus No.PB05-AP-7727 who is the complainant in this case reported to the police that on 03.02.2024 at about 12:50 p.m., he was driving the aforesaid bus having passengers and conductor- Parshotam Kumar and reached in the area of Tiwana Chowk, FF Road, Jalalabad. There was some traffic jam on the road and he requested one person to move aside his motorcycle on which the said person started



arguing with the complainant and tried to pull him out of the bus and he started proclaiming that he is Lakhwinder Singh @ Lakhu and he called his associates including the present petitioner at the spot, all of whom, armed with iron rods, wooden logs etc. and damaged window panes of the bus. In the meantime, co-accused Gindi along with two other persons dragged the complainant out of the bus and started thrashing him with their weapons. The accused persons also attacked Balwinder Singh and Parshotam Kumar who tried to intervene and the accused persons also took away Rs.17,000/- to Rs.18,000/- lying in the bag of the conductor. The petitioner was also named in the FIR and was arrested on 06.02.2024.

3. Counsel for the petitioner submits that petitioner is falsely implicated in the present case and is in custody for the last more than 07 months and is not involved in any other criminal case. It is further submitted that no specific injury is attributed to the present petitioner and on completion of investigation, challan stands presented. It is further submitted that it will take considerable time for the trial to conclude as charges are still to be framed. It is further submitted that similarly situated co-accused Akashdeep @ Bobby and Ajay @ Ajay Kumar are already given benefit of regular bail by this Court. The copies of the concerned orders are produced which are taken on record. It is further submitted that no gainful purpose is going to be served by keeping the petitioner in custody for any longer period.

4. Reply by way of an affidavit of Jatinder Singh Gill, PPS, Deputy Superintendent of Police, Sub Division, Jalalabad filed on behalf



of the State is taken on record.

5. Present petition is resisted by the State Counsel, who on instructions from ASI Jarnail Chand submits that the petitioner actively participated in the occurrence which took place on 03.02.2024 and was specifically named in the FIR. However, the State counsel has not disputed the fact that petitioner is in custody for the last more than 07 months and is having no criminal history and during investigation, recovery of weapon used in commission of crime was effected at the instance of the petitioner. The State counsel apprised the Court that charges are yet to be framed and only thereafter trial will commence.

6. I have considered the submissions made by the counsel for the parties.

7. Admittedly, the petitioner, who is in custody for the last more than 07 months, is presently lodged in judicial custody. On completion of investigation, the challan stands presented but charges are still to be framed and even thereafter, it will take considerable time for the trial to terminate. Similarly situated co-accused Akashdeep @ Bobby and Ajay @ Ajay Kumar are already enlarged on bail. Further no specific act is attributed to the present petitioner as per the allegations appearing on the FIR. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds



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

(KARAMJIT SINGH)
JUDGE

16.09.2024
Priyanka Thakur

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