



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

239

CRM-M-41144-2024
Date of decision: September 2nd, 2024

Jagdish Singh alias Jagga

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Manjinder Singh Saini, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Learned counsel for the petitioner submits that the false implication of the petitioner in the present case is evident from the fact that he was not apprehended with the co-accused Karanveer Singh @ Kannu, who allegedly snatched the mobile handset of the complainant. It has been submitted that the petitioner came to be nominated as an accused subsequently on the basis of a disclosure statement allegedly suffered by co-accused Karanveer Singh @ Kannu. Learned counsel submits that the evidentiary value of such disclosure statement is of a weak nature and would not carry much weight during trial. Learned counsel has still further submitted that since the sole material witness i.e. the complainant already stands examined, further incarceration of the petitioner would serve no useful purpose as ten witnesses still remain to be examined.

2. On a pointed query as to whether the petitioner is involved in any other criminal case, learned counsel has submitted that as per

instructions, the petitioner is involved in one case under the Arms Act.

3. *Per contra*, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposed. He has submitted that the petitioner has not approached this Court with clean hands as it is a matter of record that the petitioner is a habitual offender and does not have clean antecedents as he is involved in a number of criminal cases including cases under the Arms Act and a case under Section 302 of the IPC, which stand reflected in the custody certificate, which has been filed in Court today.

4. Learned counsel for the petitioner has, however, fairly submitted that he had been given wrong instructions by the petitioner, otherwise he would have made a mention of his criminal antecedents.

5. At this stage, a prayer has been made by learned counsel for the petitioner for withdrawal of the instant petition.

6. Dismissed as withdrawn.

September 2nd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No