

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M-64916-2023 (O&M)
Date of Decision:- 06.02.2024

JAGDEV SINGH @ JAGGU

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Armaan Gagneja, Advocate
for the petitioner.

Mr. Harpreet Singh, Additional AG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under
Section 439 of the Code of Criminal Procedure for grant of regular bail to
the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
20	03.05.2023	395, 397, 506 IPC (25 of Arms Act added lateron)	Lakhewali, District Sri Muktsar Sahib

2. It is *inter alia* contended by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in this case.
He submits that petitioner was nominated on the basis of disclosure
statement made by co-accused Jaskaran Singh. He submits that no recovery

has been effected from the petitioner in the present case. He submits that the petitioner is in custody since 31.05.2023 and challan in the case has already been presented in Court. Out of 34 witnesses cited by the prosecution none has been examined till date, as such he prayed for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel has opposed the bail petition by arguing that considering the nature and gravity of offence, petitioner is not entitled for concession of bail. He has however not controverted the fact that challan has been presented, and out of 34 witnesses cited by the prosecution none has been examined till date.

4. Considering the rival contentions and perusing the record, it transpires that the petitioner is in custody since 31.05.2023. The challan in the case has already been presented in the Court; the petitioner is having clean antecedents and out of 34 witnesses cited by the prosecution none has been examined till date; the conclusion of trial will take sufficient long time to ascertain criminal liability, if any, of the petitioner and no useful purpose would be served by detaining the petitioner any longer.

5. Consequently, without commenting on the merits of the case, it is observed that no purpose would be served in keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with

evidence of prosecution in any manner.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

06.02.2024
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No