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

CRM-M-8910-2025

Date of decision : 21.02.2025

Hardeep Singh**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Tejbir Singh Hundal, Advocate
for the petitioner.

Mr. J.S. Arora, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.101 dated 02.09.2024, under Sections 105, 115(2), 117(2), 191(3), 190 of BNS, 2023, registered at Police Station Badhni Kalan, District Moga.

2. As per facts of the case, the FIR was registered on the statement of injured Wahigurupal Singh, wherein, it was alleged that he was admitted in De-addiction Centre, where, Jagseer Singh @ Jaggi was also admitted. On being discharged from there, he went to meet Jagseer Singh @ Jaggi on 18.08.2024, however, on returning at about 7:00 p.m., family of Jagseer Singh @ Jaggi gave him beatings. On receiving injuries, he was admitted in the Hospital. Request was made to take legal action against the accused. However, later on 02.09.2024, the injured-complainant died. FIR was registered and the investigation commenced.

The petitioner was arrested on 03.02.2025. The petitioner approached the Court of learned Additional Sessions Judge, Moga praying for grant of



regular bail, however, on hearing both the sides, learned Court declined the same vide order dated 10.02.2025. Hence, the petitioner is before this Court by way of filing the present petition praying for grant of regular bail.

3. It has been vehemently contended by counsel for the petitioner that petitioner has been falsely and frivolously implicated in this case. He submits that from the bare reading of the allegations made in the FIR, it is apparent that the petitioner had no role to play in the alleged occurrence. He submits that similarly situated co-accused, namely, Shinder Singh @ Sukhwinder Singh has been granted anticipatory bail by this Court vide order dated 02.12.2024 passed in CRM-M-48311-2024 and Gurtej Singh Dhillon, has been granted regular bail by this Court vide order dated 06.11.2024 passed in CRM-M-54160-2024. He submits that being at par with the said co-accused, the petitioner deserves to be granted bail.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that complicity of the petitioner has been established alongwith the co-accused. However, he acknowledges that his co-accused have already been granted bail. He has produced the custody certificate of the petitioner on record, which reflects that the petitioner is involved in other cases as well, however, he is on bail in those cases.

5. Heard.

6. After hearing counsel for the parties and perusing the record, it is apparent that the incident took place on 18.08.2024, whereas, the complainant deceased died on 02.09.2024. Co-accused have already been granted bail by this Court. Simply because the petitioner is involved in



other cases, is no ground for denial of bail to him in the present case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

21.02.2025
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No