

CRM-M-12906-2025

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2025:PHHC:045626



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

CRM-M-12906-2025

Date of Decision:03.04.2025

JAGSIR SINGH @ JAGGI

....Petitioner

VERSUS

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Gurdarshan Singh Sidhu, Advocate
for the petitioner.

Mr. R.K.Singla, DAG, Haryana.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 483 of BNSS, 2023 is for grant of regular bail to the petitioner in case having FIR No.154 dated 10.11.2023 registered for the offences punishable under Sections 148, 149, 302 of IPC (Section 148, 149 of IPC deleted and Section 34 of IPC added later on) at Police Station Rori, District Sirsa.

2. As per the allegations recorded in the FIR, complainant Sukhpal singh along with his elder brother Pala Singh (since deceased), one Gurpreet Singh and Deputy Singh were present in the area of Grain Market in the evening of 09.11.2023 and at that time they were attacked by Balwinder Singh @ Bhunder, Gangu @ Avtar and four other unknown



persons, all of whom were armed with different weapons like sword, rod, motorcycle chain. Balwinder Singh @ Bhunder raised lalkara and gave sword blow on head of Pala Singh and another unknown person gave iron rod blow on the left knee of Pala Singh, Gangu gave sword blow which hit on the left ear of Pala Singh and thereafter Pala Singh fell on the ground and second unknown person gave sword blow which hit on right wrist of Pala Singh and third unknown person gave kappa blow which hit on his right hand and fourth unknown person also caused injuries with motorcycle chain to Pala Singh. Thereafter injured Pala Singh was taken to hospital where he died on account of the aforesaid injuries. During investigation, the petitioner was arrested and one iron pipe was recovered at his instance.

3. Counsel appearing on behalf of petitioner *inter alia* submits that petitioner, who was not named in the FIR was later on falsely implicated in the present case and incarcerated for the last more than 1 year and 3 months and further during trial, all the key witnesses namely Sukhpal Singh, Gurpreet Singh and Deputy Singh have not supported the case of prosecution as is apparent from their statements Annexure P-3 collectively. It is further submitted that though all the material witnesses are examined, it will take time for the trial to conclude and in the given circumstances, no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

4. The present petition is contested by the State counsel, who



on instruction from SI Ram Niwas submits that no doubt the petitioner was not named in the FIR but he actively participated at the time of occurrence and caused fatal injuries on the person of Pala Singh with the help of iron pipe which was later on recovered during the investigation of the case. However, the State counsel has not disputed the fact that petitioner is in custody for the last more than 1 year and 3 months and during trial, all the material witnesses have resiled from their previous statements and failed to support the case of prosecution.

5. I have considered the submissions made by the counsel for the parties.
6. In view of the fact that petitioner was not named in the FIR and further during trial, all the star witnesses have failed to support the case of prosecution, no gainful purpose is going to be served by keeping the petitioner in custody for any longer period.
7. In light 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.

03.04.2025
Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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