

216

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-35878-2024 (O&M)
Date of Decision:-09.04.2025

JASWINDER SINGH

Versus

....Petitioner(s)

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sandeep Gahlawat, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
72	24.07.2022	302 and 34 IPC	City Bhadson, District Patiala

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 contends that the petitioner is not named in the FIR and has no concern with the allegations. He submits that the petitioner is in custody since 30.08.2022 and after the completion of investigation, challan has been presented in Court and the conclusion of trial will take sufficient long time as only 05

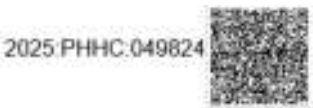


witnesses have been examined till date. He further submits that the similarly situated co-accused namely Arshpreet Kaur and Gurdeep Singh @ Kaku have already been granted the concession of bail by this Court vide order dated 24.07.2024 passed in CRM-M-16967-2024 and CRM-M-11072-2024 respectively (Annexure P-11), thus, learned counsel for the petitioner seeks parity and prays for grant of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition on the ground that the petitioner was actively involved in the murder of deceased Jasvir Singh along with co-accused Arshpreet Kaur and Gurdeep Singh. He has, however, not disputed the fact that the said co-accused Arshpreet Kaur and Gurdeep Singh have been granted the concession of bail by this Court and the case of the petitioner is at par with the aforesaid co-accused.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the present FIR was registered on the statement of complainant that on 23.07.2022, his father Jasvir Singh did not return back home till late night and his mobile phone was switched off. On the next morning, the complainant got to know that a dead body of an unidentified person was found at Village Khizarpur. The said body was identified to be of Jasvir Singh (father of the complainant). It was alleged that some unknown person had murdered his father by giving sharp edged injuries on his head. However, later on the brother of the deceased suffered a statement on 29.08.2022 that his brother was murdered by his wife Arshpreet Kaur,



Gurdeep Singh and the petitioner. Admittedly, co-accused Arshpreet Kaur and Gurdeep Singh have been granted the concession of bail by this Court on 24.07.2024 (*supra*) and the case of the petitioner is at par with them. Moreover, after the completion of investigation, challan has been presented in Court, wherein the prosecution has cited 28 witnesses and only 5 have been examined till date. The petitioner does not have any criminal antecedents and the criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate 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.

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

(SANJIV BERRY)
JUDGE

09.04.2025
S.Sharma(*syr*)

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