

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

Crl. Misc. No.M-14638 of 2015 (O&M)

Date of Decision: May 12, 2015.

Pawanpreet Singh

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner (s).

Mr. Amriptal Singh Gill, A.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

Heard.

Notice of motion.

On asking of the court, Mr. Amritpal Singh Gill, AAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

This is a petition under Section 439 Code of Criminal Procedure seeking regular bail to the petitioner Pawanpreet Singh in case bearing FIR No.32 dated 24.03.2014 registered at Police Station Sadar Kapurthala, District Kapurthala for offence punishable under Sections 302, 307, 324, 148 and 149 of Indian Penal Code.

As per the case of the prosecution, the petitioner was part of the mob, which attacked and killed one Kuldeep Singh and also caused injuries to

seven other persons. The petitioner has been attributed injury on the hand of Jaskaran Singh with a *kirpan*.

Learned counsel for the petitioner argues that no injury on the person of deceased has been attributed to the petitioner and in similar circumstances, Judgevir Singh alias Jaji and Amritpal Singh have been allowed bail by this Court in CRM-M No.40938 of 2014 and CRM-M No.5007 of 2015 vide orders dated 22.01.2015 and 24.02.2015 respectively. He further submits that it is a case of cross-version.

Without expressing any opinion on merits of the case and keeping in view the fact that the petitioner is in custody for the last more than one year and similarly placed co-accused have already been allowed bail, the present petition is allowed. Petitioner Pawanpreet Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Kapurthala subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh before the trial Court.
- c. He shall not leave the country without the previous permission of the Court.

(SURINDER GUPTA)
JUDGE

May 12, 2015.
Sachin M.