

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 31126 of 2015 (O&M)
Date of decision : October 16, 2015

Jagpal Singh,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. BPS Virk, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Mr. APS Mann, Advocate
for the complainant.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
- 2. To be referred to the Reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.199, dated 31.7.2014, registered under Sections 302, 307, 326, 325, 324, 323, 341, 506, 148, 149 of the IPC, at Police Station Sadar Samana, District Patiala.

Counsel for the petitioner has argued that originally the petitioner was found to be innocent but has now been summoned under Section 319 of the Cr.P.C and that similar situated co-accused, namely, Balwinder Singh who was also not attributed the fatal injury, was released

on bail by this Court, vide order dated 8.10.2015 passed in CRM-M No.21137 of 2015, before he had completed five months, whereas the present petitioner has undergone eight days more than the said co-accused.

Counsel for the complainant has argued that the fatal injury was attributed to the brother of the petitioner who is evading his arrest till now and, therefore, it would not be appropriate to release the petitioner on bail. However, neither counsel for the complainant nor learned Addl. AG Punjab are in a position to deny the fact that the fatal injury was not attributed to the petitioner.

In my opinion, the fact that the petitioner has been in custody for 8 days more than his co-accused Balwinder Singh would justify the grant of regular bail to the petitioner. In these circumstances, without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner. Bail to the satisfaction of the trial Court.

Petition stands disposed of.

October 16, 2015
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(AJAY TEWARI)
JUDGE