

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

**Criminal Misc. No. M-31458 of 2015  
Date of decision: 28.09.2015**

Sardool Singh

..Petitioner

Versus

State of Punjab

..Respondent

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

**Present:** Mr. Jagpal Singh, Advocate  
for the petitioner.

Ms. Ritu Punj, Addl. AG, Punjab  
for the respondent – State.

**Daya Chaudhary, J. (Oral)**

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioner-Sardool Singh for grant of regular bail in case FIR No.109 dated 22.04.2013 registered under Sections 304, 307, 395, 353, 332, 186, 436, 427, 109, 120-B, 148 and 149 of Indian Penal Code and Sections 3 and 4 of Prevention of Damage to Public Property Act, 1984 and Sections 42 and 45 of the Prisons Act, 1894 at Police Station Kotwali Faridkot, District Faridkot.

Learned counsel for the petitioner submits that no specific allegation has been attributed to the present petitioner and similar role has been attributed to all the co-accused, namely, Ashwani Kumar,

Manjeet Singh, Gamdoor Singh @ Kala, Sukhdev Singh, Rashpal Singh @ Dhali, Sham Singh @ Shama and Gurtek Singh, who have been released on regular bail. Learned counsel also submits that out of total 43 prosecution witnesses, even a single witness has not been examined so far and the petitioner is in custody for the last more than 2 years.

Learned State counsel has not disputed the custody period as well as the factum of releasing the co-accused on regular bail but opposes bail to the petitioner on the ground of seriousness of the offence.

Admittedly, the petitioner is in custody for the last more than 2 years and even a single witness has not been examined by the prosecution and trial will take long time to conclude. Moreover, the petitioner is claiming parity as his above mentioned co-accused have already been released on regular bail and no purpose would be served by keeping the petitioner in custody.

Accordingly, the present petition is allowed and the petitioner (Sardool Singh) is directed to be released on regular bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court.

28.09.2015  
neetu

**(DAYA CHAUDHARY)**  
**JUDGE**