

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

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CRM-M-33780-2015

Date of Decision: 08.10.2015

GURSEWAK SINGH @ SEWAK

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

- 1. Whether reporters of local newspapers may be allowed to see judgment?*
- 2. To be referred to reporters or not?*
- 4. Whether the judgment should be reported in the Digest?*

Present: Mr. C.K. Singla, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner namely Gursewak Singh @ Sewak S/o Jagroop Singh in FIR No.9 dated 13.02.2015 registered at P.S. Phul, District Bathinda under Sections 302, 148, 149 IPC and under Sections 25, 27 of the Arms Act, 1959.

Learned counsel for the petitioner, while placing reliance on CRM-M-29405 of 2015, Satnam Singh @ Satti @ Overseer Vs. State of Punjab decided on 14.9.2015 and CRM-M-22260 of 2015 titled as "Gurpreet Singh @ Beera Vs. State of Punjab" decided on 6.8.2015, contends that the other co-accused have been granted regular bail by this Court. It is also submitted that petitioner has not attributed any injury and deceased Gurveer Singh @ Goldy has died because of the pistol shot and the said injury was attributed to him

by accused namely Lakhvir Singh @ Lakha Sidhana. It is submitted that petitioner is in custody since 02.03.2015.

Learned State counsel has filed custody certificate and on instructions from ASI Dharam Singh and submits that petitioner has not been attributed any injury but the fact remains that he was the member of the unlawful assembly. However, he does not dispute the fact that the other accused have been granted bail on similar grounds.

Considering the fact that no injury has been attributed to the petitioner and the occurrence had taken place when process of filing of some nominations for the Nagar Panchayat elections, presence of the petitioner at that time was in usual course.

The petitioner is in custody since 02.03.2015 and challan has already been filed in the trial Court and the trial Court will take sufficient time.

In view of the aforesaid, the petition is accepted and the petitioner is ordered to be released on regular bail on furnishing of bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the the observations made hereinabove shall not be construed any expression on the merit of the case and the trial Court shall decide the case on the basis of evidence available on record.

(HARI PAL VERMA)
JUDGE

08.10.2015
SwarnjitS