

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-39027 of 2014

Date of decision: 18.05.2015

Jatinder Singh & others

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CRM No.M-1614 of 2015

Partap Singh & another

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM:- HON'BLE MR.JUSTICE DARSHAN SINGH

*** * ***

Present: Mr.SPS Sidhu, Advocate for the petitioner(s).

Mr. Neeraj Yadav, AAG, Punjab.

Mr. Vivek Goyal, Advocate for the complainant.

DARSHAN SINGH, J. (Oral)

Status report by way of affidavit of Sh. Gurcharan Singh, Deputy Superintendent of Police, Nihal Singh Wala, District Moga filed along with a copy of medical record.

These petitions have been filed for grant of regular bail by petitioners Jatinder Singh, Harwinder Singh, Karamjit Singh, Gurdeep Singh, Partap Singh and Gurajpal Singh in case FIR No.103 dated 17.7.2014 under Sections 148, 307 read with Section 149 of the Indian Penal Code and Section 25 of the Arms Act, at Police Station Nihal Singh Wala, District Moga.

Learned counsel for the petitioners pleaded that no specific injury has been attributed to any of the petitioners except Gurdeep Singh. He further contended that as per the FIR, the

grievous injuries have been attributed to Paramjit Singh @ Ladi, petitioner Gurdeep Singh and Jagwant Singh. He further pleaded that he does not press the petition for grant of bail to Gurdeep Singh and petition on his behalf may be dismissed as withdrawn at this stage. However, the remaining petitioners who are in custody since 30.7.2014 are entitled for grant of bail.

Learned State counsel Mr. Neeraj Yadav, AAG, Punjab assisted by Mr. Deepak Goel, counsel for the complainant, contended that 9 grievous injuries have been caused to complainant Daljit Singh. So, the petitioners do not deserve the concession of bail.

The aforesaid contentions have been duly considered.

This fact is not disputed that the names of petitioners Jatinder Singh, Harwinder Singh, Karamjit Singh, Partap Singh and Gurajpal Singh do not figure in the FIR. No specific role in this occurrence has been attributed to them even in the statements of the witnesses. Even as per the FIR, the grievous injuries have been attributed to Paramjit Singh, Gurdeep Singh and Jagwant Singh. Learned counsel for the petitioners has also stated that petition on behalf of Gurdeep Singh may be dismissed as withdrawn at this stage. Petitioners Jatinder Singh, Harwinder Singh, Karamjit Singh, Partap Singh and Gurajpal Singh were arrested on 30.7.2014. So, they are in custody for the last about more than nine and a half months. It has been stated at Bar by the learned counsel for the parties that after examining some witnesses, the application was filed by the prosecution under Section 319 Cr.P.C for summoning the

additional accused which has been allowed and now the case is posted for their presence. Then the de novo trial will start. Thus, the conclusion of the trial will take time. So, there is no justification to detain petitioners Jatinder Singh, Harwinder Singh, Karamjit Singh, Partap Singh and Gurajpal Singh in custody.

Petitions for grant of regular bail on their behalf are hereby allowed. Petitioners Jatinder Singh, Harwinder Singh, Karamjit Singh, Partap Singh and Gurajpal Singh are ordered to be released on bail on furnishing of requisite bail bonds to the satisfaction of the learned trial Court.

Petition on behalf of Gurdeep Singh stands dismissed as withdrawn at this stage.

May 18, 2015
ps

(DARSHAN SINGH)
JUDGE

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-1614 of 2015

Date of decision: 18.05.2015

Partap Singh & another

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM:- HON'BLE MR.JUSTICE DARSHAN SINGH

*** * ***

Present: Mr.SPS Sidhu, Advocate for the petitioner(s).

Mr. Neeraj Yadav, AAG, Punjab.

Mr. Vivek Goyal, Advocate for the complainant.

DARSHAN SINGH, J. (Oral)

For orders, see CRM No.M-39027 of 2014 titled as “**Jatinder Singh & others Versus State of Punjab**”.

May 18, 2015
ps

(DARSHAN SINGH)
JUDGE