

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

(1) CRM No.M-39483 of 2014

Karamjeet SinghPetitioner

Versus

State of PunjabRespondent

(2) CRM No.M-40235 of 2014

Gurcharan Singh @ KalaPetitioner

Versus

State of PunjabRespondent

Date of Decision:- 6.1.2015

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR.

Present: Mr.Gopal Singh Nahel, Advocate for the petitioner
in CRM No. M-39483 of 2014.

Mr.Sandeep Arora, Advocate for the petitioner
in CRM No. M-40235 of 2014.

Mr.Jaspreet Singh Sekhon, AAG Punjab for the State.

MEHINDER SINGH SULLAR , J. (Oral)

As identical points for consideration to grant the concession of regular bail to the petitioners or otherwise, are involved, therefore, I propose to decide the above indicated petitions, arising out of the same FIR/case, by virtue of this common order, to avoid the repetition of the facts.

2. The petitioners have preferred the instant separate petitions for the grant of regular bail, in a case registered against them along with their co-accused, namely, Chamkaur Singh s/o Jora Singh and Gurpyar Singh s/o Darshan Singh etc., vide FIR No.108 dated 15.9.2014 (Annexure P1), on accusation of having committed the offences punishable under sections 458, 436, 427 and 506 read with section 34 IPC by the police of Police Station

Chhajli, District Sangrur.

3. Notices of the petitions were issued to the State.

4. After hearing the learned counsel for the parties, going through the record with their valuable help and considering the entire matter deeply, to my mind, the present petitions for regular bail deserve to be accepted in this context.

5. Concisely, the prosecution, inter-alia, claimed that on 14.9.2014 at about 10 PM, four clean-shaved unknown boys came to the liquor vend of complainant Hakam Singh s/o Mohinder Singh. They pushed him and gave fits blows, snatched his cell phone and set the liquor vend on fire. The name of petitioner Karamjeet Singh is neither mentioned nor any specific role or particular part is attributed to the petitioners in the FIR. Above-all, the complainant is stated to have amicably settled the matter with them at the intervention of panchayat and respectable persons. He has reiterated the factum of compromise in his affidavit dated 1.11.2014 (Annexure P2). On instructions from ASI Karam Singh, the learned State counsel has acknowledged the factum of compromise.

6. Be that as it may, petitioner Karamjeet Singh was arrested on 21.9.2014, whereas petitioner Gurcharan Singh was arrested on 29.9.2014. Since then, they are in judicial custody and no useful purpose would be served to further detain them in jail. There is no history of their previous conviction in any other criminal case. Even since the charges have not yet been framed against the accused, so, the final conclusion of trial will naturally take a long time.

7. Not only that, Chamkaur Singh and Gurpiar Singh, similarly situated co-accused of petitioners, were granted the concession of regular

bail, by way of order dated 20.11.2014, rendered in CRM No. M-38867 of 2014 by this court. Therefore, I see no reason not to extend the same benefit of regular bail to the present petitioners as well.

8. In the light of aforesaid reasons, taking into consideration the totality of the facts & circumstances, emanating from the record, as depicted here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side, during the course of trial of main case, the instant petitions for regular bail are accepted. The petitioners are ordered to be released on bail on their furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

9. Needless to mention that, nothing observed here-in-above, would reflect on the merits in the trial of main case, in any manner, as the same has been so recorded for the limited purpose of deciding the present petitions for regular bail only.

(Mehinder Singh Sullar)
Judge

6.1.2015
AS