

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

CRM-M-40329-2015

Date of decision: 08.12.2015

Gurjinder Singh @ Lavi Deora and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Abhinav Jain, Advocate for
Mr. A.S. Sekhon, Advocate
for the petitioners.

Mr. Daljit Singh Virk, AAG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioners seek bail pending trial in FIR No.220 dated 06.10.2014 under Sections 457, 380, 436, 427, 201 IPC, registered at Police Station City Kotkapura, District Faridkot.

Learned counsel for the petitioners places reliance on orders dated 11.05.2015 passed by this Court in CRM-M-10516-2015 (Lakhwinder Singh Vs. State of Punjab) and the order dated 24.08.2015 in CRM-M-17331-2015 (Gursewak Singh Vs. State of Punjab) passed by this Court, to contend that petitioners are identically placed and they are also entitled for bail pending trial. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from HC Sukhwinder Singh, Police Station City Kotkapura, Faridkot, submits that although the petitioners were not named in the FIR, but their names came to be disclosed by 03 PWs, however, all these 03 PWs later on

resiled from their statements. However, he opposes the instant petition contending that since the allegations were direct and serious, petitioners are not entitled for bail pending trial, at this stage. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that in the given fact situation of the present case, petitioners have been found entitled for bail pending trial. It is so said because abovesaid two co-accused namely Lakhwinder Singh and Gursewak Singh have been granted the concession of bail by this Court. It is also a matter of record that 03 PWs who disclosed the names of the petitioners have also not finally supported the prosecution version. Further, since the prosecution evidence is still going on, conclusion of trial will take time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioners are directed to be released on bail pending trial on their furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

08.12.2015
vishnu