

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

Criminal Misc. M- No. 583 of 2015 (O&M)

Date of decision : 19.02.2015

Sukhmander Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Salil Bali, Advocate
for the petitioner.

Mr. P.S. Grewal, DAG, Punjab

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.11 dated 30.01.2012 registered under Sections 302, 307, 148, 149 IPC and 25, 54, 59 Arms Act at Police Station Kulgarhi, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner is similarly placed as co-accused Kamaljeet Singh and Sukhdev Singh, who have been granted relief by this Court on 19.11.2014 in CRM No. M-39049 of 2014 (Annexure P-10). The main accused Jasmail Singh @ Laddi has also been granted relief by this Court on 11.11.2014 in CRM No. M-38136 of 2014 (Annexure P-9). The said co-accused had filed petition under Section 482 Cr.P.C. for quashing of aforementioned FIR. This Court vide order dated 11.11.2014 had disposed of their petition with a direction that in case they surrendered before the trial Court within 10 days from that day,

they would be released on bail subject to the satisfaction of the learned trial Court.

Learned counsel for the petitioner submits that the petitioner has been in custody since 23.09.2014. As per the averments in the FIR, the petitioner is alleged to have fired in air. No injury was caused to anyone. Furthermore, the co-accused, who had faced trial, have since been acquitted as the complainant has not supported the prosecution version.

Learned counsel for the State, on instructions from ASI Narinder Singh, cannot dispute that the petitioner is similarly placed as the co-accused as mentioned above. It is also verified that some of the co-accused have since been acquitted.

Keeping in view the facts and circumstances but without expressing any opinion on the merits of the controversy, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

February 19, 2015
rts

(LISA GILL)
JUDGE