

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

CRM-M No.6779 of 2015

Date of decision: 24th March, 2015

Harmanpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. M.S. Sidhu, Advocate for
Mr. G.B.S. Dhillon, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

Learned counsel representing the petitioner submits that similarly placed accused has been granted regular bail by this Court through orders dated 17.03.2015 passed in CRM No.44394 of 2014 and on account of the principle of parity the petitioner is also entitled to the same relief.

Notice of motion.

On the asking of Court, Mr. C.S. Brar, Dy. Advocate General, Punjab accepts notice on behalf of the respondent-State.

In this petition moved on behalf of the under-trial petitioner namely Harmanpreet Singh under Section 439 Cr.P.C. seeking regular bail in case FIR No.109 dated 02.09.2014 under Sections 452/307/323/506/148/149 IPC registered at Police Station Sudhar, District Ludhiana Rural, the only allegations as has been canvassed on behalf of the State are of having caused simple injuries which are by way of bruises, defused swelling and complaint of pain to the injured/complainant Karamjeet Singh, witnesses Lakhvir Singh and Sukhraj Singh. The petitioner is in custody since more than six months.

In the light of nature of the injuries which on all the three persons are on non-vital parts of the body except a simple injury on the forehead of the injured Lakhvir Singh, a debatable question arises over the applicability of Section 307 IPC. However, without going into the merits of the case, in the light of the fact that trial is not likely to conclude in the near future and that the similarly placed accused have already been granted regular bail, on account of the principle of parity this Court is of the opinion that further detention of the petitioner in the present case is not warranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of the trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

March 24, 2015
rps