

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

CRL. MISC. No.M-15521 OF 2016
DATE OF DECISION : 25th JULY, 2016

Inderjit Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. M. S. Kathuria, Advocate for the petitioner.

Mr. Shilesh Gupta, Additional Advocate General, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.18 dated 31.01.2016 registered under Sections 302, 323, 148, 149 and 120-B IPC at Police Station Sahnewal, District Ludhiana.

Heard learned counsel for the rival parties.

The petitioner was arrested on 06.02.2016 and is in jail since then. The age of the petitioner is 19 years.

Learned State counsel has vehemently opposed the plea for regular bail by the present petitioner on the ground that the petitioner was a member of the unlawful assembly which caught hold of the deceased fell him down and the main accused-Jatinder Singh inflicted a fatal blow

by means of *Kirch* which entered the left lung of the deceased and damaged it.

Undoubtedly, the petitioner appears to be member of unlawful assembly but the role attributed to the petitioner is that he had caught hold the deceased along with other persons and fell him down. The age of the petitioner is 19 years. The challan has been filed. There is no likelihood of the trial taking place in the near future.

Learned counsel for the petitioner has taken instructions from the father of the petitioner who is present in court that the petitioner would not enter District Ludhiana except the date of appearance before the Sessions Court and will stay in District Amritsar and would report the concerned police station on every last Sunday of the month from 10.00am to 2.00pm. He further undertakes that the petitioner would not apply for modification of the condition not to enter the District Ludhiana at any point of time till the trial is completed.

In that view of the matter looking to the age of the petitioner and statement made by the father of the petitioner, I am inclined to pass the order granting bail to the petitioner. Hence, I make the following order:

ORDER

- (i) The petition is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned Trial Court.
- (iii) The petitioner shall not enter the limits of the District Ludhiana except the date of appearance before the Sessions Court.

- (iv) The petitioner shall not apply for modification of the above condition to stay out of District Ludhiana till the trial is over as per the statement made.
- (v) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

25th JULY, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE