

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

***CRM No.M-17102 of 2016 (O&M)
Date of decision : 25.05.2016***

Lakhwinder Singh @ Raju

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. S.S. Gill, Advocate for the petitioner.
Mr. K.D. Sachdeva, Additional Advocate General, Punjab.
...

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.48 dated 20.08.2015, under Sections 306/34 IPC, registered at Police Station Sandaur, District Sangrur.

Counsel for the parties have been heard at length.

FIR was registered on the complaint of Nachhattar Singh in relation to an occurrence of 17.08.2015. Deceased is Harjit Singh nephew of the complainant. Complainant's version is that one Jaswinder Singh had informed him that Harjit Singh was being beaten up by three boys on the bridge of a canal near liquor vend. Complainant specifically named Kuldeep Singh @ Ashu @ Baghu and Jasvir Singh @ Veera. In such information furnished by Jaswinder Singh, Kuldeep Singh @ Ashu @ Baghu and Jasvir Singh @ Veera were specifically named. Name of the third person was not furnished.

Name of the present petitioner has surfaced only during the course of investigation.

As per persecution version upon information having been

received with regard to Harjit Singh (since deceased) being beaten up complainant is stated to have proceeded on the spot. Precise allegation is that Harjit Singh having been assaulted was pushed into the canal and upon his surfacing back was again beaten up and feeling insulted, Harjit Singh jumped into the canal and committed suicide.

Incident is stated to have occurred on 17.08.2015. Complainant even though had reached at the spot on 17.08.2015 itself, yet he has chosen to file the complaint after a delay of three days i.e. on 20.08.2015.

It has gone uncontroverted that co-accused, Kuldeep Singh @ Ashu @ Baghu has been granted concession of pre-arrest bail by this Court in the light of order dated 15.01.2016 in CRM No.M-35562 of 2015.

Jasvir Singh @ Veera another co-accused has been granted benefit of regular bail by this Court vide order dated 17.02.2016 passed by this Court in CRM No.M-4927 of 2016.

On the ground of parity itself and without making any observations on merits, the present petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Sangrur.

Disposed of.

25.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**