

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1749 of 2016

Date of Decision: 27.01.2016

Harwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. D.S. Kahlon, Advocate for the petitioner.

Mr. R.S. Randhawa, Addl.A.G, Punjab.

JASWANT SINGH, J (Oral)

Prayer is for grant of regular bail in case FIR No.207 dated 25.5.2015 under Sections 307/148/149 IPC and Sections 25/27/29/54/59 of the Arms Act (Section 302 IPC added later on) registered at P.S A- Division Amritsar, District Amritsar.

As per allegations, the main accused Tinku was armed with a gun whereas Pintu was armed with a revolver along with other co-accused, who were hurling abuses at a Chowk and upon being restrained by the deceased-Gurdev Singh, both Tinku and Pintu are alleged to have fired shot at said Gurdev Singh dead resulting into his death.

It is contended that the petitioner is resident of the area and the only role attributed to him is of standing at the site and hurling abuses. Learned counsel submits that two of the co-

accused, namely Harpal Singh and Satinder Singh with similar roles have since been granted regular bail by this Court.

Learned State counsel, on instructions from ASI Rachhpal Singh, is unable to refute the contention of granting bail to the similar situated co-accused. He further states that the case is at the stage of framing of charge.

Without commenting upon merits of the case and keeping in view the parity and the fact that the trial is not going to be concluded in near future, no useful purpose would be served by putting the petitioner in custody any more.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Amritsar.

January 27, 2016
manoj

(JASWANT SINGH)
JUDGE