

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

CRM-M No.24174 of 2016

Date of decision: 26th July, 2016

Gurdeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. S.K. Daaria, Advocate for
Mr. RVS Chugh, Advocate
for the petitioner.

Mr. C.S. Brar, Dy. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Gurdeep Singh in this petition filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.51 dated 16.05.2016 registered at Police Station City Budhlada, District Mansa under Sections 307/427/34 IPC, are that on 16.05.2016 the accused Kamal Dass who was driving the trolly and on which the petitioner was sitting by his side, tried to mow down the complainant Gurnam Singh while he was sleeping on a cot along with his brother Baljinder Singh.

Contentions of learned counsel for the petitioner that there are only simple injuries and that no specific role has been attributed to

the petitioner who is only attributed a lalkara. Though on behalf of the State, it is duly conceded that all the injuries are simple in nature and that it was the principal accused who had caused the injuries by driving the truck-trolla which has struck the injured Gurnam Singh. It is further contended on behalf of the petitioner that similarly placed co-accused namely Kamal Dass @ Kamaljit Dass has been allowed interim bail vide order dated 02.06.2016.

Keeping in view the submissions made and the principle of parity and that the case of the petitioner is on a better footing than that of his co-accused and nothing is to be recovered from him thus, in the event of arrest, petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation. Petitioner shall furnish an undertaking that he shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

July 26, 2016
rps