

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

**Crl. Misc.No.M-288 of 2016
Date of Decision:- 31.05.2016**

Jasbir Singh @ Jas

....Petitioner(s)

vs.

State of Punjab

....Respondent(s)

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present:- Mr. Vipin Mahajan, Advocate,
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. Bedi, J. (Oral)

Petitioner seeks concession of regular bail in a cross version case registered at the instance of Jagdeep Singh alleging that the petitioner along with 6-7 other persons had attacked complainant-Gurdeep Singh, Harpal Singh (deceased) and Jagdeep Singh armed with rifles and kirpans. Harpal Singh had died on account of the gun shots fired. So far as the petitioner is concerned, he was armed with .12 bore gun and fired two shots towards complainant-Gurdeep Singh @ Gurpreet Singh and Jagdeep Singh. No injury has been attributed qua the deceased Harpal Singh to the petitioner. So far as the main accused Gurbinderjit Singh is concerned, he fired two direct shots at deceased Harpal Singh, who died on account of gun shot injury received on the stomach.

It is not out of place to observe that the original FIR was registered at the instance of Jasbir Kaur- mother of Gurbinderjit Singh

alleging that Gurdeep Singh along with others had entered the house of Gurbinderjit Singh and fired shots resulting in receipt of gun shot injuries by the petitioner as well as Gurbinderjit Singh.

Without going into the details, it is sufficient to observe that the petitioner having not been attributed any gun shot injury on the person of the deceased Harpal Singh and co-accused Gurbinderjit Singh, who had inflicted injury on the person of deceased-Harpal Singh, having been granted bail by a Coordinate Bench of this Court, the petitioner, on the principle of parity, can be granted the same relief as he is not attributed any injury on the person of deceased but injury on the person of witnesses-Gurdeep and Jagdeep.

All the accused in the main version and cross-version have been granted concession of bail. Petitioner, no doubt, remained a proclaimed offender but w.e.f. 24.7.2015, he has been in custody. It has been informed that during the period of his custody, not even a single witness of prosecution has been examined. The petitioner, in said circumstances also, can be granted the concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/duty Magistrate.

May 31, 2016
poonam

(M.M.S. BEDI)
JUDGE