

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

Crl. Misc. No.M-40254 of 2015

Date of Decision: 28.04.2016

Ajit Singh Sodhi

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. L.S. Bhullar, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.122 dated 24.10.2014 registered under Sections 307, 148, 149 IPC and Sections 25, 27 of the Arms Act (offence under Sections 302, 348 IPC and 25, 27 of Arms Act added later on) at Police Station Islamabad, District Amritsar.

Learned counsel for the petitioner submits that there are total nine accused. As per prosecution version, the occurrence took place on 24.10.2014 as there was clash between two Nihang Dal groups. One group was headed by Baba Sher Singh and another by Baba Major Singh. The FIR, in question, was registered on the basis of statement made by

Amrik Singh, who had stated himself to be a Sewadar in Gurdwara Baba Jivan Singh. Both the groups were proceeding towards Amritsar to celebrate the festival of Bandi Chhor Divas. Number of persons were armed with fire weapons. Accused Lallu had fired shot from 312 bore rifle, which hit Bir Singh on the left side of the stomach and Bir Singh is stated to be the deceased.

Learned counsel for the petitioner also submits that the case of the petitioner is at par with Ninder Singh alias Gurmit Singh, Dalbir Singh and Sher Singh, who have already been released on regular bail.

The petitioner is in custody since 26.10.2014, which comes to more than 1½ years. There are total 29 PWs, out of which, 25 PWs have already been examined and it may take some time in examination of remaining witnesses.

Learned counsel for the respondent-State has not disputed the custody period and stage of the trial and also grant of regular bail to co-accused Ninder Singh alias Gurmit Singh, Dalbir Singh and Sher Singh.

Without making any observation on merits of the case and keeping in view the custody as well as stage of the trial and also the fact that co-accused of the petitioner have been released on regular bail, the present petition is allowed and the petitioner, namely, Ajit Singh is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

28.04.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE