

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

CRM No.M-8117 of 2016 (O&M)

Date of decision: 24.08.2016

Malkit Singh @ Malli and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Veneet Sharma, Advocate for the petitioners.

Mr. Mehardeep Singh, Addl. A.G., Punjab
assisted by ASI Kewal Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioners have sought regular bail in case FIR No.41, dated 12.07.2015, registered under Sections 307, 279, 427, 186, 353 read with Section 34 IPC, Section 25 of Arms Act and Sections 21 & 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Mattewal, Amritsar Rural, District Amritsar.

It is contended that the petitioners were not arrested from the spot. The petitioners have been falsely implicated in the instant case on the basis of disclosure statement of co-accused Jagdeep Singh @ Jagu. The Co-ordinate Bench of this Court in CRM-M-13420 of 2016, allowed bail to the petitioners in another FIR identical to the

present incident. The order passed by the Co-ordinate Bench has not been assailed by the State. The petitioners are in custody since 22.07.2015.

On the other hand, the learned State counsel opposes the prayer of bail.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the petitioners have been enlarged on bail in the same incident, without adverting to the merits of the instant case, this petition is allowed. The petitioners be admitted to bail during the pendency of the trial, on their furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

24.08.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No