

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

CRM-M-12865 of 2017

Date of Decision: May 31, 2017

Shivraj Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. L.S. Sidhu, Advocate
for the petitioners.

Mr. KDS Sidhu, Addl. A.G. Punjab.

Mr. Guninder Singh Brar, Advocate
for the complainant.

FATEH DEEP SINGH, J.

Learned State counsel has made statement that petition qua petitioner No.2 Jaspreet Singh and petitioner No.3 Jaswinder Singh @ Jassa has become infructuous as they have already been arrested.

The present petition stands disposed off qua petitioner No.2 Jaspreet Singh and petitioner No.3 Jaswinder Singh @ Jassa as having been rendered infructuous.

The allegations against the petitioner No.1 Shivraj Singh in this anticipatory bail application under Section 438 Cr.P.C are that he along with his co-accused/non-applicants Harpreet Singh, Balwinder Singh, Gurdev Singh, Barinder Singh and Sukha Singh armed with various weapons including baseball bats assaulted the complainant side on 20.02.2017. The petitioner No.1 Shivraj Singh as per the contention of the learned counsel for the petitioner which is not refuted by learned counsel for

the complainant as well as learned State counsel is attributed a simple injury by means of baseball bat on the ear of Gursahib Singh which is opined to be simple in nature.

In view of the arguments raised by learned counsel for the petitioner that the similarly placed co-accused Barinder Singh @ Varinder Singh has been allowed this relief and the case of the petitioner is not distinguishable with that of his co-accused and in view of the principle of parity the present petition stands allowed qua petitioner No.1 Shivraj Singh. In the event of arrest of the petitioner No.1 Shivraj Singh, he be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

May 31, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No