

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-1429 of 2017

Date of Decision: 06.02.2017

Gagandeep Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sandeep Wadhawan, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 74 dated 22.09.2016 registered for offences punishable under Sections 399 and 402 of Indian Penal Code (for short 'IPC') and 25 and 27 of Arms Act, at Police Station Goindwal Sahib, District Tarn Taran.

Heard.

Notice of motion.

On asking of the court, Ms. Bhavna Gupta, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Learned counsel for the petitioner submits that co-accused Lovepreet Singh, Harpreet Singh and Jatinder Singh have been allowed regular bail vide common order dated 16.01.2017 passed by this Court in CRM-M-43920 of 2016 and CRM-M-43960 of 2016.

Allegations against the petitioner are also similar but no recovery of any weapon was effected from him.

Applying the principle of parity but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Gagandeep Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

February 06, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No