

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

CRM-M-22399-2017

Date of decision:- 27.9.2017

Gurjant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr.K.S. Aulakh, DAG, Punjab.

Mr.Parminder Singh, Advocate
for the complainant.

H.S. MADAAN, J. (Oral)

This petition has been filed for the grant of regular bail to the petitioner – Gurjant Singh, an accused in FIR No.62 dated 30.4.2016, under Sections 302/34 IPC, registered at Police Station Maur Mandi, District Bathinda, who along with five other persons is facing in the Court of Additional Sessions Judge, Bathinda.

Learned counsel for the petitioner has submitted that there is delay of 67 days in reporting the matter to the police which has not been explained satisfactorily. The initial version was that Jagjiwan Kumar had suffered injuries during the scuffle in the card board factory, whereas petitioner is not having any concern with the card board factory. It was only when supplementary statement of complainant was recorded on

7.5.2016 in which the present petitioner was named along with Anil Kumar @ Anil Kumar Neena and others. It is contended that Anil Kumar @ Anil Kumar Neena, who had been attributed the similar role as that of the present petitioner has been granted bail by a Co-ordinate Bench of this Court vide order dated 26.5.2017, copy of that order has been placed on file. The petitioner is seeking bail on the principle of parity. Further, it is contended that he is in custody since 15.5.2016 and the conclusion of the trial is likely to take considerable time since out of 16 PWs, statement of one PW that too partly has been recorded.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Under the circumstances, I find it proper and appropriate if concession of regular bail is granted to the petitioner.

Accordingly, the petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate, Bathinda, subject to the following conditions:

- (i) He shall appear in the Court on each and every date of hearing.
- (ii) He shall not give any threat or intimidation to the prosecution witnesses.
- (iii) He shall not leave India without prior permission of the Court.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and

interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

27.9.2017

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(H.S. MADAAN)**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No