

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

CRM-M No.27809 of 2016 (O&M)

Date of Decision : 23.03.2017

Gursewak Singh alias Sewak

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Kulbhushan Raheja, Advocate
for the petitioner(s).

Mr. Gurinder Jit Singh, Deputy Advocate General, Punjab
for the respondent-State.

FATEH DEEP SINGH, J. (ORAL)

The allegations against the petitioner-Gursewak Singh alias Sewak in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.42 dated 09.04.2016, registered at Police Station Zira, District Ferozepur under Sections 394, 379, 411, 379-B IPC, are that on 28th March, 2016 he along with his co-accused/non-applicant, namely, Iqbal Singh have assaulted complainant-Inderjit Singh and in the process are alleged to have been instrumental in snatching of ₹ 70,880/- from the complainant.

Learned counsel for the petitioner contends that co-accused/non-applicant-Iqbal Singh has already been allowed bail by this Court vide orders dated 17th June, 2016 and that the petitioner is in custody since 9th April, 2016.

Though on behalf of the State, the same is sought to be opposed on the averments of heinousness of the offence however, having regard to

the period of incarceration which is almost 11 months as per custody certificate filed by learned State Counsel today in the Court together with the contentions of the counsel for the petitioner that no other similar case is pending against the present petitioner, in view of the principle of parity and the fact that culpability, if any, shall be determined at the trial coupled with the fact that the trial will take a long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is not warranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

The present petition stands disposed off accordingly.

March 23, 2017
Dpr

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No