

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

**CRM-M No. 32053 of 2017
Date of Decision: 3.11.2017**

Amrik Singh @ Sunny

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present:- Mr. Pushpinder Kaushal, Advocate, for the petitioner
Ms. Jaspreet Kaur, AAG, Punjab

SHEKHER DHAWAN, J.

Present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No. 101 dated 11.11.2016, under Sections 302, 307, 148 and 149 IPC and Section 25 of Arms Act, registered at Police Station Kiratpur Sahib, District Rupnagar.

As per the FIR available with the police, deceased Vivek Sharma was fired by Dilpreet Singh.

Learned counsel for the petitioner contended that the petitioner is not involved in commission of offence as specific allegations are against Dilpreet Singh only and his name figured only in subsequent statements under Section 161 Cr.P.C. Co-accused Arun Kumar @ Arun has already been released on bail by this Court on 4.10.2017. The petitioner is in custody since 9.1.2017 and trial of the case still to take some more time, so he be released on bail.

Learned State counsel fairly conceded that allegations against

the petitioner for the offence under Section 120B IPC only and main allegations are against Dilpreet Singh, who has allegedly fired, resulting into death of Vivek Sharma. Learned State counsel also affirmed that the petitioner is in custody since 9.1.2017.

Having considered the facts that the allegations regarding offence under Section 302 IPC are against Dilpreet Singh only and name of the petitioner figured in supplementary statement under Section 161 Cr.P.C. Though, there was no mention in FIR that some more persons were involved. The petitioner is facing allegations on the basis of Section 120B IPC only. However, without expressing anything on the merits of the case, which may cause prejudice to either of the parties, and considering the fact that the petitioner is in custody since 9.1.2017 and co-accused Arun Kumar @ Arun has already been released on bail and the trial of the case still to take some more time, the present petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Rupnagar.

The present petition stands disposed of.

(SHEKHER DHAWAN)
JUDGE

3.11.2017
Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No