

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-35105 of 2017 (O&M)

Date of Decision: 07.10.2017

Charanjit Singh @ Gurcharan Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. J.S. Moudgill, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. D.A.G. Punjab

SURINDER GUPTA, J.(Oral)

CRM-32110-2017

Application is allowed as prayed for and orders dated 06.07.2017 and 12.09.2017 passed by this Court in CRM-M-22947 and CRM-M-31225 of 2017 are taken on record as Annexures P-4 and P-5, subject to all just exceptions.

CRM-M-35105 of 2017

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. 81 dated 01.06.2017 registered for offences punishable under Sections 457, 380 and 411 of Indian Penal Code (for short, "IPC") at Police Station Dirba, District Sangrur.

Heard.

Learned State counsel submits that petitioner was named in the disclosure statement of co-accused, namely, Jarnail Singh, Rajbir Singh and Mudit, who have stated that petitioner was with them at the time of theft in

the godown of complainant. As per allegations of complainant, 236 bags of wheat were stolen from the godown of complainant, which were later on recovered from possession of co-accused Jarnail Singh and Rajbir Singh.

Co-accused Jarnail Singh, Rajbir Singh and Harwinder Singh have already been released on regular bail vide orders dated 06.07.2017 and 12.09.2017 passed in CRM-M-22947 of 2017 and CRM-M-31225-2017, respectively.

Applying the principle of parity with co-accused Jarnail Singh, Rajbir Singh and Harwinder Singh 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-Charanjit Singh @ Gurcharan 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

October 07, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No