

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-38098 of 2017
Date of Decision: 25.10.2017

Raj Singh @ Raja

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jashandeep Singh Sandhu, 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.105 dated 10.05.2017 registered for offences punishable under Section 306 read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station Nathana, District Bathinda.

Heard.

Notice of motion.

On asking of the Court, Mr. V.G. Jauhar, Sr. D.A.G. 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 him.

Learned counsel for the petitioner submits that co-accused, namely, Jagjit Singh @ Jagga and Trilochan Singh, against whom allegations were levelled by the prosecution that they have embezzled the compensation amount of the land of deceased Jaswant Singh in connivance with petitioner, have been allowed regular bail vide common order dated

03.10.2017 passed in CRM-M-36283-2017 and connected petition CRM-M-33761-2017. He seeks bail for the petitioner on the ground of parity with those co-accused.

Learned State counsel submits that petitioner is one of the beneficiary of the compensation with regard to land measuring 22 *marlas* owned by deceased-Jaswant Singh. Revenue record was tampered by co-accused Jagjit Singh on the basis of which compensation was released in favour of petitioner.

Keeping in view the fact that co-accused, namely, Jagjit Singh @ Jagga and Trilochan Singh, whose role is similar to the role of petitioner, have already been allowed regular bail and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Raj Singh @ Raja 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 25, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No