

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

(1)

**Crl. Misc. No.M-40116 of 2017 (O&M)
Date of Decision: November 03, 2017.**

Jaswinder Singh @ Tinda

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

(2)

Crl. Misc. No.M-40118 of 2017 (O&M)

Jagdeep Singh @ Jaggu

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. RVS Chugh, Advocate
for the petitioner (s).

SURINDER GUPTA, J.(Oral)

Both the aforementioned petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.221 dated 05.12.2016 registered for the offences punishable under Sections 307 read with Section 34 of Indian Penal Code and 25, 27 of Arms Act and 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Dakha District Ludhiana (Rural).

Heard.

Notice of motion.

On asking of the court, Mr. C.L. Pawar, Sr. D.A.G., Punjab,

who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petitions has already been received and record of the case is available with him.

Heard.

Learned counsel for the petitioners submits that similarly placed co-accused Gurdeep Singh @ Giani has already been allowed regular bail vide order dated 02.08.2017 passed in CRM-M-17728-2017.

Learned State counsel on instructions from Head Constable Harpreet Singh endorses the submission of learned counsel for the petitioners.

Applying the principle of parity but without expressing any opinion on merits of the case, both the petitions are allowed. Petitioners Jaswinder Singh @ Tinda and Jagdeep Singh @ Jaggu are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.
- c. They shall not leave the country without the prior permission of the Court.

(SURINDER GUPTA)
JUDGE

November 03 , 2017
Sachin M.

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No