

CRM-M-44447 of 2016(O&M)**Date of decision: 15.02.2017****Vipan Kumar**

... Petitioner

VS.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

* * *

Present : Ms. Pooja Chopra, Advocate
for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

Mr. Rajesh Bhatheja, Advocate
for the complainant.

* * *

DEEPAK SIBAL, J.(ORAL)

Through the present petition filed under Section 439 Cr. P. C., the petitioner seeks regular bail in FIR No.249, dated 22.11.2014, registered under Sections 302, 201, 120-B and 149 IPC at Police Station Rajpura City, District Patiala.

Counsel for the parties agree that co-accused Sanjeev Kumar @ Sanjay who has been attributed similar role as the petitioner had earlier approached this Court through CRM-M-7370 of 2016-Sanjeev Kumar @ Sanjay Vs. State of Punjab for grant of regular bail which has been allowed by this Court on 22.11.2016 by passing the following order:-

“The petitioner seeks grant of regular bail in case FIR No.249 dated 22.11.2014, registered under Sections 302, 201, 120-B, 149 of the IPC, at Police Station Rajpura City, District Patiala.

Counsel for the petitioner has argued that the petitioner has been in custody for two years and the matter had

been adjourned to enable the prosecution to examine Murari Lal, Narinder Singh and Gurmeet Singh Dhillon.

Learned DAG Punjab has accepted that these three witnesses have been examined.

Counsel for the complainant states that these witnesses have clearly inculpated the petitioner.

Be that as it may, without commenting upon the merits of the case, and keeping in view the fact that the trial is not likely to be concluded in the near future (since 28 more witnesses remain to be examined), and the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of”.

In view of the fact that the role attributed to the petitioner and Sanjeev Kumar @ Sanjay who has been granted bail through the afore quoted order, is the same, on the principle of parity, the petitioner also deserves the concession of bail.

Bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Patiala.

Nothing observed herein above shall be considered to be an expression of opinion by this court on the merits of the case.

February 15, 2017
rimpal

(Deepak Sibal)
Judge

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No