

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

**Crl. Misc. No.M-47593 of 2017 (O&M)
Date of Decision: December 20, 2017.**

Gursewak Singh @ Giani @ Guri

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vikram Rathore, Advocate
for the petitioner (s).

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. 134 dated 07.07.2017 registered for the offence punishable under Section 394 read with Section 34 of Indian Penal Code at Police Station Model Town, District Police Commissionerate, Ludhiana.

Heard.

Notice of motion.

On asking of the court, Ms. Seena Mand, DAG, 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 her.

Learned counsel for the petitioner submits that the petitioner has been arrested in this case on the disclosure statement of co-accused. Vivek Kumar, who was also arrested in this case on the disclosure statement of co-accused in another case and has been released on regular bail by this

Court vide order dated 17.11.2017 passed in CRM-M-42838-2017.

Learned State counsel submits that petitioner is involved in another case registered against him after this incident and recovery of ₹55,000/- has been effected from his possession.

Applying the principle of parity with co-accused Vivek Kumar, the present petition is allowed. Petitioner- Gursewak Singh @ Giani @ Guri 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

December 20, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No