

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

CRM-M-6330-2017 (O&M)
Date of decision: 28.04.2017

GURWINDER SINGH @ SONU BAJWA

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. S.S. Sarwara, Advocate for the petitioner (s).

Ms. Harsimrat Rai, DAG, Punjab

Mr. P.S. Ahluwalia, Advocate

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.87 dated 06.11.2016, registered under Sections 148, 307 read with Section 149 IPC and Sections 25 and 27 of the Arms Act, at Police Station Phase VIII, District SAS Nagar, Mohali.

Mr. P.S. Ahluwalia, Advocate states that averments and submissions made in CRM-M-46530-2016 titled 'Ravi Kumar Vs. State of Punjab', were made on the basis of status report available on the website of Sessions Court, SAS Nagar, Mohali, wherein co-accused, Rajbir Singh @ Sonu Shah has been shown to be admitted to bail on 13.12.2016 in aforesaid FIR. He also informs that even as on today same status is reflected on the

website of Sessions Court, SAS Nagar, Mohali. In this view of the matter, the Court feels that the learned counsel for the petitioner in CRM-M-46530-2016 has projected the facts with *bona fide* belief and inconsistency of facts is relatable to projections generated by the website of the Sessions Court, SAS Nagar, Mohali. A photocopy of the status report is taken on record as Mark 'A'. Accordingly, no further order is warranted in the matters i.e. CRM-M-7814-2017, CRM-M-1871-2017 and CRM-M-1365-2017, which were already decided and ordered to be re-listed by this Court vide order dated 21.04.2017 and the purpose of issuing notice in the said cases is fully achieved.

Status report in pursuance of last order has been filed in the Court, same is taken on record.

Contends that the petitioner has been falsely implicated on the basis of secret information regarding firing between two rival groups. He was not arrested from the spot. Co-accused, Sonu Shah, has already been admitted to bail. He is in custody since 31.01.2017.

On the other hand, the learned State counsel vehemently opposes the present petition.

Heard.

Considering the fact that the petitioner is in custody since 31.01.2017; co-accused, Sonu Shah has already been admitted to bail; and he was not arrested from the spot, no purpose would be served in keeping the petitioner behind the bars.

Accordingly, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

28.04.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No