

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

CRM-M No.6664 of 2017
Date of decision: 6th April, 2017

Harnam Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. J.S. Dhaliwal, Advocate
for the petitioner.

Mr. R.S. Randhawa, Addl. Advocate General, Punjab
for respondent No.1/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Harnam Singh in this petition filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.50 dated 27.08.2016 registered at Police Station Jhunir, District Mansa under Sections 307/342/506/323/148/149 IPC and section 25 of the Arms Act, are that on 27.08.2016 a fight has taken place between two groups leading to injuries.

Contentions of the learned counsel for the petitioner are that the petitioner is neither named in the FIR nor has been identified at the spot and no role is attributed to him and that similarly placed co-accused Subash Kumar has been allowed same relief vide orders dated 22.02.2017 and case of the petitioner is not distinguishable at all from that of his co-accused.

Bail has been sought to be opposed vehemently on behalf of the State by Mr. R.S. Randhawa, Addl. Advocate General, Punjab however he squarely accepts the fact that name of the petitioner has cropped up after more than one month and five days and till date no test identification parade has been conducted.

In the light of this stand of the State together with the own admission of the State that no role is attributed to the petitioner and keeping in view the principle of parity, impels this Court allow the prayer made. Accordingly, in the event of arrest, petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

April 6, 2017
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No