

CRM-M-7094-2017

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

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Date of Decision: 10.03.2017

Avtar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Harpreet Grewal, Advocate for
Mr. Rajeev K. Kapila, Advocate,
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Avtar Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.38 dated 23.04.2016, registered at Police Station Kartarpur, District Jalandhar, under Sections 379-B, 307, 411, 353, 186 and 336 of the Indian Penal Code and Sections 25 and 27 of the Arms Act, 1959.

Notice of motion was issued. Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that as per the prosecution version, secret information was received that some young persons are roaming in village Buttran in black colour XUV bearing registration No.PB-08-CB-

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0072 in a suspicious condition. It is stated that when the police party went towards the said place, a vehicle was seen coming and when signal was given to stop it, they started running back the vehicle and started firing upon the police party. It is a case of no injury.

In the similar circumstances, co-accused Harsimranjit Singh alias Vicky has already been granted bail by this Court and, therefore, the petitioner is entitled to bail on the ground of parity also. Otherwise also, the petitioner has been in custody since 23.04.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

10.03.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No