

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

211

CRM-M NO.18180 OF 2018

DATE OF DECISION: MAY 08, 2018

Sethi @ Maninder Singh

.....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Ranjit Singh, Advocate,
for the petitioner.

Mr. Kuldeep Singh, Sr.DAG, Punjab,
for the State.

AUGUSTINE GEORGE MASI, J. (ORAL)

Prayer in this petition is for grant of regular bail in case FIR No.62, dated 21.08.2017 registered under Sections 307, 120-B IPC and Sections 25, 54, 59 of Arms Act, Police Station Garhdiwala, District Hoshiarpur.

It is the contention of learned counsel for the petitioner that the role attributed to the petitioner is that he was driving the motorcycle and co-accused Hardip Singh @ Dabbu was pillion rider. The petitioner is not involved in the shootout whereas Hardip Singh @ Dabbu was the person who is alleged to have fired two shots, one of which hit on the right leg of Avtar Singh and the other hit the Activa Scooter, which was parked nearby.

He also contends that the petitioner has been falsely implicated and is in

custody since 13.10.2017. He states that the trial is not likely to conclude soon as even the charge has not been framed till date. Assertion has also been made that co-accused of the petitioner, namely, Manjit Singh, has been granted the concession of bail by this Court vide order dated 24.04.2018 (Annexure P-2) in Criminal Misc. M No.4903 of 2018.

Counsel for the State, on the other hand, does not dispute the factual assertions of counsel for the petitioner. He further states that the petitioner was the person who was driving the motorcycle and was instrumental in the commission of offence and, therefore, should not be granted the benefit as has been prayed for.

Having considered the submissions made by counsel for the parties and keeping in view the fact that the petitioner is not involved in any other case except the present one and that the trial is not likely to conclude in near future and further that co-accused of the petitioner, Manjit Singh, has been granted the benefit of bail, the present application is allowed. The petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court concerned.

Any observation made herein above shall have no bearing on the merits of the case during the trial in any manner.

May 08, 2018
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No