

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

**CRM-M No.22326 of 2018
Decided on: 12.07.2018**

Taranvir Sharma

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. F.S. Virk, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.158 dated 31.07.2017, for offence punishable under Sections 307, 324, 341, 506 read with Section 34 of the Indian Penal Code (in short 'IPC') registered at Police Station Civil Lines, Patiala, District Patiala.

Counsel for the petitioner has submitted that the petitioner is in judicial lock up since 19.09.2017 and the co-accused of the petitioner namely Manpreet Singh Walia, who on the similar footing, has been granted the concession of interim anticipatory bail vide order dated 04.06.2018 passed in CRM-M No.23188 of 2018. It is further submitted that another co-accused namely Bikramjit Singh Cheema has also been granted the concession of interim anticipatory bail vide order

dated 21.05.2018 passed in CRM-M No.21590 of 2018, noticing the fact that initially the challan was presented under Section 307 IPC and thereafter, the supplementary challan was submitted under Sections 324, 341, 506 read with Section 34 IPC. It is also submitted that charges are yet to be framed and it will be a debatable issue to be decided during the course of trial, as to whether Section 307 IPC is made out or not. It is further argued that the petitioner is no more required for any further custodial interrogation.

Counsel for the State, on instructions from HC Balkar Singh, has not disputed the factual position but opposed the prayer for bail. Counsel for the State on the basis of the Custody Certificate dated 30.05.2018, has also not disputed the fact that the petitioner has undergone 10 months of judicial custody and he is on bail in one another FIR No.12 of 2017.

Without commenting anything on merits of the case and considering the fact that the co-accused of the petitioner namely Manpreet Singh Walia and Bikramjit Singh Cheema, have already been granted the concession of bail; the petitioner is in judicial lock up for the last 10 months; the supplementary challan was presented by deleting Section 307 IPC; charges are yet to be framed and therefore, it will take some time in conclusion of the trial, this petition is allowed and the petitioner is ordered to be released on bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved misusing the

concession of bail, in any manner.

12.07.2018
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(ARVIND SINGH SANGWAN)
JUDGE

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