

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

**Crl. Misc. No.M-23498 of 2018 (O&M)
Date of Decision: July 05, 2018**

Gurpreet Singh @ Ladi

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. N.K. Manchanda, Advocate
for the petitioner (s).

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.4 dated 19.01.2016 registered for the offences punishable under Sections 302, 307, 148 read with Section 149 of Indian Penal Code and 25, 27 of Arms Act, at Police Station Beas, Amritsar Rural.

Heard.

Notice of motion.

On asking of the court, Ms. Monika Jalota, D.A.G. Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Learned counsel for the petitioner submits that petitioner was not named in the FIR. He along with co-accused Ajay Kumar alias Mithu

was nominated on the disclosure statement of Jagdeep Singh alias Judge Chandigarhiya. No overt act has been attributed to the petitioner. With similar allegations co-accused Ajay Kumar alias Mithu has been granted regular bail vide order dated 21.03.2017 passed in CRM-M-8849-2017. He seeks regular bail for the petitioner on the ground of parity.

Learned State counsel on instructions from ASI Balkar Singh submits that though the petitioner has not been named in the FIR but has been named in the disclosure statement of co-accused Jagdeep Singh alias Judge Chandigarhiya, wherein he was also stated to be sitting in the car, which has come at the spot.

As per the allegations in the FIR, brother of complainant was shot by two persons, who came on a motorcycle, out of whom one Mani was identified. The petitioner is not named in the FIR.

Keeping in view the fact that the allegations against the petitioner and co-accused Ajay Kumar alias Mithu are similar and applying the principle of parity but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Gurpreet Singh @ Ladi is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for

bail afresh.

- c. He shall not leave the country without the prior permission of the Court.

July 05, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>