

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

**Crl. Misc. No.M-23929 of 2018 (O&M)
Date of Decision: July 05, 2018**

Amarjit Singh and another

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Dhawan, 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 petitioners in case FIR No.120 dated 08.10.2017 registered for the offences punishable under Sections 307, 324, 323, 452, 107, 148 read with Section 149 of Indian Penal Code (for short-IPC), at Police Station Lohian, District Jalandhar.

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.

Petitioner Amarjit Singh has been attributed grievous injury on the finger of Surjit Singh while petitioner Kuldeep Singh has been attributed

injury on the back side of complainant with *kirpan*. Admittedly, both have not been attributed injury attracting provisions of Section 307 IPC. In similar circumstance, co-accused Bachittar Singh, who was also not attributed injury attracting the provisions of Section 307 IPC, was allowed regular bail vide order dated 20.04.2018 passed in CRM-M-7660-2018.

Applying the principle of parity but without expressing any opinion on merits of the case, the present petition is allowed. Petitioners Amarjit Singh and Kuldeep Singh @ Kipa are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality, the petitioners shall have to apply for bail afresh.
- c. They shall not leave the country without the prior permission of the Court.

July 05, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***