

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

CRM-M No. 293 of 2018

DATE OF DECISION :- February 14, 2018

Kawaljit Singh @ Gora @ Billa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

This petition for regular bail has been filed by petitioner Kawaljit Singh @ Gora @ Billa, an accused in F.I.R. No. 64 dated 27.12.2016 for offences under Sections 302,307,148,149 IPC and 25 and 27 of the Arms Act, registered with Police Station Batala, District Gurdaspur.

Briefly stated the facts as per prosecution story are that in an incident which took place on 25.12.2016 at about 2.30 P.M. in the area of village Sanghora, several assailants had attacked complainant Kanwaljit Singh son of Rur Singh resident of Sanghora and his uncle Gurmukh Singh. Gurmukh Singh had suffered fire arm injuries to which he had succumbed. Complainant had also received fire arm injuries. The role attributed to petitioner Kawaljit Singh @ Gora @ Billa is that he and one Buri were

armed with Datars and they had raised lalkaras (exhortations). Both the accused were arrested in this case on 26.3.2017. He and his co-accused are facing trial in the Court of Additional Sessions Judge, Gurdaspur. The petitioner had moved an application for regular bail, which was dismissed by the Court of Sessions, as such he has approached this Court asking for similar relief. The petition is being opposed by the learned State counsel.

I have heard learned counsel for the petitioner, learned State counsel besides going through the record.

According to learned counsel for the petitioner, similarly placed accused namely Balraj Singh @ Boori has been granted concession of regular bail by a coordinate Bench of this Court vide order dated 07.11.2017 passed in CRM No. M-28902 of 2017, whereas another co-accused Nirmal Singh has been granted regular bail vide order dated 13.7.2017 by the same coordinate Bench in a petition bearing CRM No. M-23337 of 2017 and since the conclusion of trial is likely to take some time, therefore such concession be also given to the present petitioner.

I find that in the F.I.R., the role attributed to the petitioner is of raising lalkara (exhortation), no injury is attributed to him and his case is at par with that of Balraj Singh @ Boori, who has been granted regular bail. The conclusion of trial is likely to take some time.

As such, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Gurdaspur subject to the following conditions : -

- (i) he shall appear in the Court on each and every date of

hearing.

(ii) he shall not give any threat or intimidation to the prosecution witnesses.

(iii) he shall not leave India without prior permission of the Court.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the order shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

February 14, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No