

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-35074-2018

Date of decision: 21.08.2018

Gurcharan Singh @ Monu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Deepak Saini, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Gurcharan Singh @ Monu, has prayed for grant of regular bail in case FIR No. 466 dated 30.12.2017 registered under Sections 148, 149 and 307 IPC and Section 25 of the Arms Act at Police Station Ladwa, District Kurukshetra.

2. According to the prosecution, in the night of 29.12.2017, the petitioner along with main accused Vikrant and co-accused Arun, Vipin, Jitender, Chhotu Ram and Sanju, fired at complainant Labh Singh, with intention to kill him.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner was not named in the FIR. Co-accused of the petitioner, namely; Deepak and Kulwinder, have already been granted the concession of regular bail by this Court vide orders dated 27.07.2018 and 07.08.2018 (Annexures P-2 and P-3, respectively). The petitioner is in custody since

would be served by detaining the petitioner in jail. Treating the case of the petitioner on the same parity, he may be released on regular bail.

4. On the other hand, learned State counsel has not disputed the above submissions of learned counsel for the petitioner qua grant of bail to the co-accused.

5. Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Gurcharan Singh @ Monu, is ordered to be released on bail pending trial, treating his case on the same parity as that of his co-accused, namely; Deepak and Kulwinder, on his furnishing adequate bail bonds and surety bonds, to the satisfaction of trial Court/Duty Magistrate concerned.

August 21, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No