

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

**Crl. Misc. No.M-35154 of 2018 (O&M)
Date of Decision: September 24, 2018**

Raman Kumar @ Gora

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. D.S. Pheruman, Advocate
for the petitioner (s).

Mr. Sandeep Kumar, D.A.G. Punjab.

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.177 dated 30.10.2017 registered for the offences punishable under Sections 302 read with Section 34 and 120-B of Indian Penal Code and 25 of Arms Act, 1959, at Police Station City Patti, District Tarn Taran.

Heard.

As per the case of the prosecution, Amandeep brother of complainant Surinder Singh was shot dead in broad day light in Tarn Taran Market. He levelled allegations against Pritpal Singh and his son Gursewak Singh, who were out to kill him as they doubted that deceased was involved in murder of Gurtej Singh son of Pritpal Singh.

Learned State counsel on instructions from ASI Santokh Singh,

submits that as per evidence collected by the police, deceased was shot by Gursewak Singh, who handed over his pistol after the occurrence to Amandeep Singh, co-accused. The allegation against the petitioner is that he had given the location of the deceased to the assailant and the name of petitioner has come during the disclosure statement of Pritpal Singh co-accused while he was in police custody. The petitioner was arrested in this case on 01.06.2017 and after completion of investigation, challan has been presented but the same has not been committed to the Court of Sessions for trial as the other accused are in different jails and have not been produced in Court.

Pritpal Singh, on whose disclosure statement, petitioner has been nominated in this case, has been allowed regular bail vide order dated 07.05.2018 passed in CRM-M-18148-2018. The allegation of conspiracy against the petitioner is based on the disclosure statement of Pritpal Singh.

Keeping in view the above facts and that conclusion of trial will take considerably long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Raman Kumar @ Gora 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 prior permission of the Court.

September 24, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

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