

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-38368-2018

Date of Decision:16.10.2018

Gurjant Singh @ Bhja

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Varinder Basa, Advocate for
Mr. Karanjit Singh, Advocate,
for the petitioner.

Mr. Tanvir Joshi, A.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.62 dated 20.05.2018 under Sections 302, 34 IPC read with Section 25/27 of the Arms Act (the offence punishable under Section 34 IPC was deleted and the offences punishable under Sections 120-B, 148, 149 IPC were added later on), registered at Police Station Sadar Mansa, District Mansa.

Learned counsel for the petitioner states that the case of the petitioner is at par with that of Gurkirtan Singh alias Guri, who has been allowed regular bail by this Court vide order dated 12.07.2018 passed in CRM-M-27988-2018 (**Gurkirtan Singh alias Guri Versus State of Punjab**).

Learned State Counsel on instructions from the Investigating

Officer states that the petitioner had sold 60 cartridges to the assailants and therefore, he is an accused.

I have heard learned counsel for the parties.

Taking into consideration the allegation against the petitioner that he had sold 60 cartridges to the accused, it cannot be said that he was conspiring with the remaining co-accused, who facilitated for the commission of murder of Sukhwinder Singh. At this stage, the allegation against the petitioner is that he had sold 60 cartridges to the accused.

In the order dated 12.07.2018 passed in CRM-M-27988-2018, the allegation against co-accused Gurkirtan Singh alias Guri, is similar to that of petitioner in the present case, except the number of cartridges. He is in custody since 05.06.2018 and no other case has been pointed out against him.

In view of abovesaid facts and circumstances, the present petition is accepted. Petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, Mansa.

It is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the main case.

October 16, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No