

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

CRM-M No.40116 of 2018

Date of Decision: 23.10.2018

Gobind Singh

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Harvinder Singh Maan, Advocate
for the petitioner.

Ms. Rashmi Attri, A.A.G., Punjab.

DAYA CHAUDHARY, J.

Petitioner, namely, Gobind Singh has approached this Court by way of filing the present petition under Section 439 Cr.P.C for grant of regular bail to him in case FIR No.111 dated 31.10.2016 registered under Sections 302, 341, 148, 149, 120-B IPC and Section 201 of IPC (added later on) and Sections 27, 54 and 59 of the Arms Act at the time of presentation of challan at Police Station Sadar Mansa, District Mansa.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, he was not involved in the commission of offence. As per allegations levelled in the FIR, the petitioner came at the alleged place of occurrence on motorcycle along with co-accused and he caught hold the deceased and gave beatings. The alleged allegation is falsified by the MLR as the deceased suffered only one injury which is attributed to main accused, namely, Jeet Singh. Learned counsel

also submits that no specific role and injury has been attributed to the petitioner and he has been implicated in the case only on the basis of general allegations. Co-accused, namely, Tarsem Singh @ Seemi has filed a petition bearing **CRM-M No.11926 of 2018** which was allowed vide order dated **07.09.2018**. Similarly, another accused, namely, Sandeep Singh @ Seepa also filed **CRM-M No.44264 of 2017** which was allowed vide order dated **07.09.2018**. Learned counsel also submits that the role attributed to the petitioner is same as has been attributed to co-accused who have been released on regular bail. The petitioner is in custody since 03.11.2016 and no useful purpose would be served by keeping him in custody. All material witnesses have been examined. The petitioner is ready to abide by all terms and conditions to be imposed by this Court or by the trial Court.

Learned State counsel has not disputed the custody period and also grant of regular bail to co-accused.

Heard the arguments of learned counsel for the parties and have also perused the contents of the FIR as well as other documents available on the file.

Admittedly, co-accused of the petitioner, namely, Tarsem Singh @ Seemi and Sandeep Singh @ Seepa have been released on regular bail vide order dated 07.09.2018 and the petitioner herein is on better footing *viz-a-viz* said co-accused. The petitioner is in custody since 03.11.2016. All material witnesses have been examined and there is no purpose to keep the petitioner behind bars when co-accused have been released on bail. The trial may still take some time to conclude.

Accordingly, the present petition is allowed and petitioner,

namely, Gobind Singh is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

23.10.2018
gurpreet

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No