

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-40300-2018

Date of decision: 21.09.2018

Sher Singh @ Sonu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. PS Baidwan, Advocate for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

Mr. Nagar Singh, Advocate for the complainant.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner-Sher Singh @ Sonu, has prayed for grant of regular bail in case FIR No. 195 dated 20.06.2018 registered under Sections 323, 324, 427, 452, 506, 148 and 149 IPC (Section 326 IPC added later on) at Police Station City Khanna, District Ludhiana.

Learned counsel for complainant-Jagtar Singh has filed memo of appearance on his own, though he has not been impleaded as party. The same is taken on record. Office to tag the same at the appropriate place.

According to the prosecution, in the intervening night of 19/20.06.2018, some unidentified persons armed with deadly weapons like baseball bats, swords etc. attacked complainant-Jagtar Singh and caused injuries, including grievous one falling under Section 326 IPC

with their respective weapons on different parts of his body.

Learned counsel for the petitioner *inter alia* contends that the petitioner was not named in the FIR. Co-accused of the petitioner, namely; Manpreet Singh @ Mani, Manjinder Singh @ Mau and Gurjit Singh @ Goldy, having similar role have been granted regular bail by this Court vide orders dated 29.08.2018, 12.09.2018 and 20.09.2018 in CRM-M Nos. 35808, 38707 and 40122-2018, respectively. Petitioner is in custody since 23.06.2018. Thus, treating the case of the petitioner on the same parity, he may be granted the concession of regular bail, considering the fact that filing of final report under Section 173(2) Cr.P.C. and conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail.

On the other hand, learned State counsel vehemently opposed the above submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Sher Singh @ Sonu, is ordered to be released on bail pending trial, treating his case on the same parity as that of his co-accused, namely; Manpreet Singh @ Mani, Manjinder Singh @ Mau and Gurjit Singh @ Goldy, on his furnishing adequate bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

September 21, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No