

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

1. CRM-M-28474-2018

Gurdeep Rai

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-44730-2018

Sunny Kumar

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision: 02.11.2018

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Saurav Bhatia, Advocate
for the petitioner in CRM-M-44730-2018.

Mr. Jasraj Singh, Advocate for
Mr. J.B.S. Gill, Advocate
for the petitioner in CRM-M-28474-2018.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-37229-2018 in CRM-M-28474-2018

Allowed as prayed for.

Documents are taken on record as Annexure P-3 and Annexure

P-4.

Main cases

This common order shall dispose of above noted two petitions as they arise out of the same FIR.

These petitions have been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to petitioners Gurdeep Rai and Sunny Kumar in case FIR No. 46 dated 16.04.2018, under Sections 379-B and 34 of the IPC, registered Act at Police Station Chabbewal, District Hoshiarpur.

Learned counsel, appearing for petitioner Gurdeep Rai, has submitted that the petitioner is on bail in another FIR No. 114 dated 31.08.2017, under Section 379-B IPC, registered at Police Station Chabbewal, District Hoshiarpur and has relied upon the order passed by the trial Court on 12.09.2018, wherein the petitioner has been granted bail in the said FIR.

It is argued on behalf of both the petitioners that the complainant has named both the petitioners by giving their parentage and addresses and, therefore, it will be a debatable issue during the course of trial as to how the petitioners were known to the complainant. It is also submitted on behalf of both the petitioners that they were involved in aforesaid FIR No. 114 on the basis of their disclosure statement after they were arrested in the present case.

Learned counsel for the petitioners further submit that petitioners Gurdeep Rai and Sunny Kumar are in judicial custody since 17.04.2018 and 16.04.2018, respectively, and the conclusion of the trial is likely to take some time.

Learned State counsel, on instructions from ASI Jasbir Singh,

has not disputed the factual position, however, opposed the prayer of the petitioners on the ground that they are also involved in aforesaid FIR No. 114.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that the petitioners are in judicial custody from April, 2018 and the conclusion of the trial is likely to take some time, the instant petitions are allowed. Petitioners Gurdeep Rai and Sunny Kumar are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate concerned.

A photocopy of this order be placed on the file of other connected case.

November 02, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No