

215-A

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.45756 of 2017
Date of Decision: 16.01.2018

Rahul Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Ms. Jimmy Karan Kaur, Advocate,
for the petitioner.

Mr. Luvinder Sofat, D.A.G., Haryana.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner seeks his release on regular bail in F.I.R. No.10, dated 21.02.2017, under Sections 302, 323, 324, 148, 149, 201 and 120-B of the Indian Penal Code, registered at Police Station Banur, Patiala.

2. The position of the petitioner is virtually similar to that of co-accused, namely Parveen Kumar and Sukhchain Singh @ Chain, who were earlier granted bail by this Court in CRM-M No.48271 of 2017 and CRM-M No.41173 of 2017, respectively, since they were not originally named in the F.I.R. The other mitigating circumstances concerning them

were also recorded in the relevant bail orders passed by this Court, which are also applicable to the present petitioner. The alleged weapon recovered at his instance (*Gandasi*) admittedly is not the one (*Kirchhi*) with which death of the victim was caused.

3. For this reason, considering the long detention undergone by the petitioner, the present petition is allowed and the petitioner, namely Rahul Kumar son of Ranjha Ram, is directed to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Illaqa Magistrate, concerned.

16.01.2018*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No