

**217/6 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of decision:18.01.2018

(i) CRM-M-49884-2017 (O&M)

Jaswinder Singh @ Jassa	...	Petitioner
	Versus	
State of Punjab	...	Respondent

(ii) CRM-M-175-2018 (O&M)

Anil	...	Petitioner
	Versus	
State of Punjab	...	Respondent

(iii) CRM-M-210-2018 (O&M)

Satpal	...	Petitioner
	Versus	
State of Punjab	...	Respondent

(iv) CRM-M-49890-2017 (O&M)

Kuldeep Singh	...	Petitioner
	Versus	
State of Punjab	...	Respondent

(v) CRM-M-49900-2017 (O&M)

Gurcharan Singh	...	Petitioner
	Versus	
State of Punjab	...	Respondent

(vi) CRM-M-49929-2017 (O&M)

Sulakhan Singh	...	Petitioner
	Versus	
State of Punjab	...	Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.B.S.Gill, Advocate, for the petitioner(s)
Mr. Rahul Rathore, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This order shall dispose of above mentioned six petitions as

they arise from the same FIR.

Prayer in these petitions are for grant of regular bail to the petitioners under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.139 dated 26.08.2017, for offence punishable under Sections 307, 436, 506, 427, 148, 149 of the Indian Penal Code (in short 'IPC'), 3 and 4 of the Explosive Act, 1908 (Section 3 / 4 of the Prevention of Damage to Public Property Act, 1984 and Section 120-B IPC were added later on), registered at Police Station City Malout, District Sri Muktsar Sahib.

Counsel for the petitioners has submitted that the petitioners are in judicial custody since 10.10.2017. It is further submitted that there is no direct allegations against the petitioners and no recovery is to be effected from the petitioners and the petitioners have been arrested in the present case in the aid of Section 120-B IPC. It is further submitted that more than 51 persons have been nominated in the present FIR and co-accused of the petitioners namely Rohit has already been granted the concession of regular bail in CRM-M No.47828 of 2017, vide order dated 21.12.2017 and another co-accused, namely, Gorakh Nath has also been granted concession of regular bail in CRM-M-45468 of 2017, vide order dated 09.01.2018.

Learned counsel for the State, on instructions from ASI Gursewak Singh, has not disputed the factual assertions but opposed the prayer for bail.

Without commenting anything on merits of the case and considering the fact that the petitioners are in judicial custody since 10.10.2017; no recovery is to be effected from the petitioners and the co-accused of the petitioners has already been granted the concession of regular

bail, the present petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioners are found involved misusing the concession of bail, in any manner.

A photocopy of this order be placed on the files of other connected cases.

(ARVIND SINGH SANGWAN)
JUDGE

18.01.2018

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No