

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

1. CRR No. 2354 of 2018

Lovepreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

2. CRR No. 2437 of 2018

Gurjant Singh

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision: 25.10.2018

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

Present:- Mr. Inderjit Sharma, Advocate
for the petitioner(s).

Mr. M. S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

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

Prayer in these revision petitions is for setting aside the orders dated 24.05.2018 and 19.05.2018, passed by the Principal Magistrate, Juvenile Justice Board, Bathinda, vide which the bail applications of the petitioners were dismissed as well as order 13.06.2018, passed by the Additional Sessions Judge, Bathinda, whereby the appeals of the petitioners,

filed against the aforesaid orders of Principal Magistrate, Juvenile Justice Board, Bathinda, were also dismissed.

Brief facts of the case are that the present petitioners along with other co-accused are facing trial in FIR No. 233 dated 25.09.2017, registered under Sections 302, 323, 506, 148 and 149 of the IPC at Police Station Sangat, District Bathinda.

Learned counsel for the petitioners submits that aforesaid four co-accused, i.e. Amandeep Singh, Manjit Singh, Lovepreet Singh s/o Kaka Singh and Lovepreet Singh s/o Kewal Singh, who have faced full length trial before the Additional Sessions Judge, Bathinda, have been acquitted vide judgment dated 11.10.2018 as all the prosecution witnesses were declared hostile.

Learned counsel for the petitioners has placed on record photocopy of the statement so recorded in the aforesaid trial and submits that even in the present case, one of the prosecution witnesses has been declared hostile.

Learned state counsel, on instructions from HC Ranjit Singh, has filed custody certificates of the petitioners and as per the same, they have undergone more than one year of custody and they are not involved in any other case.

I have learned counsel for the parties.

Without commenting anything upon the merits of the case, considering the aforesaid facts, the instant petitions are allowed and orders dated 24.05.2018 and 19.05.2018, passed by the Principal Magistrate, Juvenile Justice Board, Bathinda as well as order 13.06.2018, passed by the

Additional Sessions Judge, Bathinda are hereby set aside.

Accordingly, petitioner Lovepreet Singh son of Sukhmander Singh and petitioner Gurjant Singh son of Ajaib Singh are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the Principal Magistrate, Juvenile Justice Board/trial Court/Illaqa Magistrate concerned.

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

October 25, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No