

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

Date of decision : April 08, 2019

1. CRM-M No.16864 of 2018

Jarnail Singh vs State of Punjab

2. CRM-M No.14744 of 2018

Ghumand Singh vs State of Punjab

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Rajbir Singh, Advocate
for the petitioner in CRM-M No.16864 of 2018.

Mr. Vinod Bhardwaj, Advocate
for the petitioner in CRM-M No.14744 of 2018.

Ms. Amarjit Kaur Khurana, DAG Punjab

Ajay Tewari, J (Oral)

This order shall dispose of the aforesaid petitions as they arise from the same FIR.

The petitioners seek grant of regular bail in case FIR No.93, dated 15.10.2017, registered under Sections 302, 307, 323, 324, 506, 148, 149, 120-B of the IPC and Sections 3/4 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act (charges framed under Sections 302, 325, 323, 506, 447, 511, 148, 149, 120B of the IPC), at Police Station Cheema, District Sangrur.

Counsel for the petitioners have argued that there is no overt act against the petitioners and the only allegation is that the occurrence took

place at the instance of the petitioners. They have been in custody for one and half years and on the last date the matters were adjourned since the complainant was to be examined.

Learned Sr. DAG Punjab has accepted these facts and has stated that the complainant was examined-in-chief on 25.3.2019 and the matter is now fixed for his cross-examination tomorrow.

In these circumstances, even though these petitions are dismissed, yet it is directed that the petitioners be released on bail by the trial Court to its satisfaction tomorrow after the cross-examination of the complainant is over. It goes without saying that in case the complainant does not show up, the petitioners would be entitled for bail and in case the complainant shows up and is not cross-examined by the petitioners, they would not be released on bail.

Since the main cases have been decided, the pending C.Ms, if any, also stand disposed of.

April 08, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No