

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-13577-2019 (O & M)

Date of Decision: 02.04.2019

HARINDER PAL @ HINDA

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Gurpreet Singh Dhillon, Advocate for the petitioner.

Ms. Ruchika Sabbarwal, AAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No. 34, dated 06.03.2014, under Sections 302, 482, 120-B, 148 read with Section 149 of the Indian Penal Code ('IPC' - for short) and Section 25 and 27 of the Arms Act, registered at Police Station Model Town, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein 7 persons have been named and ascribed specific roles with regard to their participation in the occurrence. The petitioner has been arrayed as an accused on the supplementary statement of the complainant recorded after 3 days of the occurrence. Even in the supplementary statement, the allegations against the petitioner are that he was armed with pistol and had fired a shot in the air but no injury was caused to any person by him. He also contends that the petitioner is in custody for over 3 ½ years since his arrest on 30.07.2015 and similarly situated co-accused namely Gurmukh Singh has been granted the concession of regular bail by the coordinate Bench of this Court in CRM-M-51622-2018 decided on 09.01.2019.

Learned State counsel, on instructions from ASI Tejinder Singh is not in a position to dispute the parity of the petitioner with the role of co-accused Gurmukh Singh, who has been granted the concession of regular bail. She, however, submits that the petitioner is also involved in several other cases.

Heard.

In view of the submissions of the learned counsel for the petitioner especially when the petitioner is not named in the FIR, he is custody for over 3 years and similarly situated co-accused being released on regular bail, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

April 02, 2019

A.Kaundal

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No