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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20077-2019
Date of decision-09.05.2019

Bhupinder Singh @ Pinda @ Sabi

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Arman Mahajan, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab assisted by
ASI Charanjit.

MANOJ BAJAJ, J.

Petitioner- Bhupinder Singh @ Pinda @ Sabi has prayed for grant of regular bail in case FIR No.1 dated 14.01.2011 under Sections 307, 452, 506 and 148 read with Section 149 of Indian Penal Code and Sections 25, 27, 54 and 59 of Arms Act registered at Police Station Rangar Nangal, Police District Batala, District Gurdaspur. The petitioner is in custody since his arrest on 17.10.2018.

The FIR was registered on the statement of the complainant Jasbir Kaur wherein it was alleged that on 13.01.2011 at about 9.00 pm, when she along with her son was present at house of Jasbir Singh then, Gurdeep Singh armed with gun, Shammu armed with riffle, Daljit Singh armed with pistol, Bura along with 8-10 unknown persons armed with deadly weapons forcibly entered their house and raised lalkara. In the

meantime, Gurdip Singh fired gunshot at the son of complainant whose pellets hit on his chest and hand. Then Jasbir Singh and his wife saved them.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. No role has been attributed to him. He further refers to order dated 13.07.2018 passed in CRM-M-27782-2018, whereby regular bail has already been granted to co-accused, namely, Karamjit Singh @ Sabhi @ Fauji whose name was also not named in the FIR. According to him, his case is at par with the co-accused.

On the other hand, the bail is opposed by learned State counsel, who is assisted by ASI Charanjit on the basis that the present petitioner was declared proclaimed offender. However, it is not disputed that the case of the petitioner is similar to the case of co-accused, namely, Karamjit Singh who was also declared as proclaimed offender and was granted regular bail by this Court vide order dated 13.07.2018.

Considering the above, further custody of the petitioner may not be justifiable. Therefore, without meaning any expression on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Gurdaspur.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

09.05.2019

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