

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-46278-2018 (O&M)

Date of Decision:- 5.2.2019

Ramandeep Singh @ Raman Randhawa

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Guninder Singh Brar, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.89, dated 5.4.2017, registered at Police Station Samrala, Police District Khanna, District Ludhiana, under Sections 323, 324, 307, 148, 149 and 120-B IPC.
2. The FIR was registered at the instance of Manjit Singh wherein it has been alleged that he as well as his younger brother Neel Kamal Singh are studying in college and on the day of occurrence when they were present in the college, then Taran Randhawa Singh @ Titili who was carrying two 'kirpans', Kamal Khatra @ Kamaljeet Singh @ Sukhdev Singh who was holding 'dah' and a pistol like weapon, Jajal Mann who is President of Desh Bhagat College, Mandi Gobindgarh

who was also holding a 'dah' along with 5-6 unknown boys attacked them. It is alleged that Kamal Khatra tried to hit him with a 'brick bat' but the said 'brick bat' hit Bhatti Sir. It is further alleged that Taran Randhawa @ Titili tried to inflict a blow with 'kirpan' on the head of the complainant's brother but he warded off the same with his hands. It is further alleged that Kamal Khatra also gave a blow with 'dah' on the head of the complainant's brother and when the complainant tried to rescue his brother, then Taran Randhawa hit the complainant with 'kirpan'. Kamal Khatra is also alleged to have given a 'dah' blow to the brother of complainant's brother on his right cheek while other boys accompanying them also caused injuries.

3. Learned counsel for the petitioner has submitted that he is not specifically named in the FIR and that in any case the main accused namely Taranpreet Singh who was armed with 'kirpan' has already been granted anticipatory bail vide order dated 1.6.2017 passed in CRM-M-19180-2017 and that in these circumstances the petitioner deserves the concession of bail on grounds of parity as well.
4. Opposing the petition, learned State counsel has informed that the name of the petitioner figured in the disclosure statement made by Kamal Khatra and that in these circumstances no case for grant of bail is made out. It has however been informed that the petitioner has already joined investigation.
5. Having regard to the facts and circumstances of the case especially that the petitioner is not named in the FIR and has been nominated as accused on the basis of disclosure statement of co-accused, and that

the co-accused Taranpreet Singh has already been granted anticipatory bail, in my opinion, it is a fit case for grant of bail. The petition, as such, is accepted and interim directions issued vide order dated 17.10.2018 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

February 5, 2019
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(GURVINDER SINGH GILL)
JUDGE

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