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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SANJIV KUMAR SHARMA
2019.11.09 15:39
I attest to the accuracy and
authenticity of this document

CRM-M-36668-2019
Date of decision : 8.11.2019

Sunil Kumar alias Monu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Hapreet Kaur, Advocate for
Mr. Navkiran Singh, Advocate
for petitioner.

Ms. Monika Jalota, DAG Punjab.

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HARINDER SINGH SIDHU, J.

Prayer is for grant of regular bail in case FIR No. 120, dated 7.9.2017, registered under Sections 302, 148, 149 IPC and under Sections 25, 27 of Arms Act, 1959 at Police Station Mahilpur, District Hoshiarpur.

FIR was registered on the complaint of one Amandeep Kumar alias Aman alleging that when he was present in the house of Vipin Kumar, then Lovepreet Singh armed with a pistol, Rajesh Kumar alias Banta also armed with a pistol and Kamaljit alias Kamal Sahota alongwith 4/5 unknown persons came there. Lovepreet Singh fired with his pistol at Rohit (complainant's brother). The shot hit Rohit on his chest. Rajesh Kumar also fired at complainant's brother which hit him on his back. As a result of injuries sustained, Rohit died.

The learned counsel for petitioner submits that neither petitioner is named in FIR nor any injury is attributed to him. He states that similarly situated co accused of petitioner Kamaljit alias Kamal Sahota and Jatinder Singh alias Babu, have been granted bail by this Court, vide order dated 2.7.2019 (Annexure-P-5), passed in CRM-M-42422-2018.

Without commenting anything on the merits of case and also bearing in mind the fact that petitioner is in custody since 27.9.2017,

in my opinion, no useful purpose will be served by detaining petitioner behind bars any further. The petition, as such, is accepted. Petitioner Sunil Kumar alias Monu is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, in case petitioner indulges in any activity akin to one for which he has been convicted, while on bail, prosecution agency will be at liberty to seek cancellation of order granting bail to petitioner.

(HARINDER SINGH SIDHU)
JUDGE

8.11.2019

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No