

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-45437 of 2019 (O&M)

Date of Decision: 12.12.2019

Gurjant Singh @ Janti @ Ghukar

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Munish Raj Chaudhary, Advocate
for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab

SURINDER GUPTA, J.(Oral)

CRM-39190-2019

Application is allowed and copy of statement of PW-1 Harpreet Kaur is taken on record as Annexure P-4, subject to all just exceptions.

CRM-M-45437-2019

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.33 dated 06.02.2019 registered for offences punishable under Sections 379-B, 341, 323, 201, 148, 149 and 34 of Indian Penal Code (for short, "IPC") at Police Station City Barnala, District Barnala.

Heard.

Learned counsel for petitioner seeks bail for the petitioner on parity with co-accused, namely, Jagjiwan Singh @ Dholi and Arshpreet Singh @ Honey, who have been allowed regular bail vide orders dated 04.09.2019 and 25.09.2019 passed in CRM-M-31447-2019 and CRM-M-40055-2019, respectively.

Learned State counsel submits that complainant while appearing as PW-1 has turned hostile and has also denied the snatching of her gold chain and cash by the petitioner. Remaining offences in this case are bailable.

Without expressing any opinion on merits of the case and keeping in view the submission of learned State counsel; applying the principle of parity; and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Gurjant Singh @ Janti @ Ghukar is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

December 12, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No