

GURPREET SINGH @ SABHI**...PETITIONER****VERSUS****STATE OF PUNJAB****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. L.S.Lakhanpal, Advocate
for the petitioner.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*

VIVEK PURI, J. (ORAL)

Through instant petition, the petitioner is seeking regular bail in case FIR No. 279 dated 25.09.2018 under Sections 302/120-B IPC, Section 25 of the Arms Act and Section 03 of SC/ST Act, registered at Police Station Phillaur, District Jalandhar.

Briefly, the aforesaid FIR has been registered on the allegations that on 25.09.2018 at about 4:00 P.M, Parshotam Lal (complainant) had gone to the shop of his nephew Ram Sarup (deceased) who was running a shop of repairing tyre puncture. Sarabjit Singh @ Barohga armed with datar, Pardeep Singh Ghosal armed with kirpan and two other persons also carrying kirpan arrived at the spot. They inflicted injuries on the person of Ram Sarup, who was shifted to Civil Hospital but succumbed to the injuries on the way.

It has been pointed out by the learned counsel for the petitioner that the name of the petitioner does not find mentioned in the FIR, though, he has been named in the supplementary statement of the complainant. Moreover,

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during the course of trial, Parshotam Lal (complainant) and Sandeep Kumar, eye

witness to the occurrence, have not supported the version qua Gurpreet Singh @ Sabhi (petitioner). Two live cartridges have stated to be recovered from the possession of the petitioner and no other case is pending against him.

Furthermore, similarly placed co-accused namely, Dharminder Singh @ Bhinda has already been granted bail by this Court.

Notice of motion.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab, accepts notice on behalf of respondent-State. Copy of paper-book has already been supplied in advance.

Learned State counsel has not disputed the aforesaid factual aspects of the case.

In the instant case, the arrest of the aforesaid petitioner was effected way back on 01.10.2018, the material witnesses have not been supported prosecution version qua the petitioner and the similarly placed co-accused has been granted bail

Keeping in view the abovesaid facts, no fruitful purpose will be served by keeping the petitioner behind the bars in the present case. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate/trial Court.

30.07.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No