

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-21569-2020

Date of decision: **4.9.2020**

KIRANDEEP SINGH @ BIKKAR

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Mr. Pawan Sharda, Senior DAG, Punjab.

(Proceedings conducted through video conferencing).

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.105 dated 22.9.2018 under Sections 302, 341, 148, 149 IPC at Police Station Ferozepur, District Ferozepur.
2. The FIR was registered at the instance of Vineet wherein it has been alleged that on 22.9.2018 when he along with his grandmother Janki Devi were going to the Bank, they were waylaid by Aman, Kirandeep Singh @ Bikkar (petitioner) and 5-6 other unidentified persons who were carrying iron rods and 'Dandas'. It is alleged that the petitioner raised 'Lalkara' exhorting his companions to teach the complainant a lesson for having entered into an altercation with them. It is alleged that Aman gave a blow with 'Khanda' like weapon hitting complainant's grandmother on her head while another unknown person gave blow with 'Khanda' on the left

leg of the complainant. Thereafter the petitioner and other co-accused are alleged to have given fist blows to the complainant. The grandmother of complainant succumbed to her injuries.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and even if the allegations are taken to be correct then also it is only '*Lalkara*' and fist blows to the complainant which are attributed to the petitioner and that the petitioner in any case, is not alleged to have caused any injury to the deceased. Learned counsel for the petitioner further submits that co-accused of the petitioner namely Aman and Manpreet have already been released on bail and such the petitioner also deserves concession of bail on the ground of parity.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and had participated in the occurrence inasmuch as he is attributed '*Lalkara*' and fist blows to the complainant, no case for bail is made out. It is further submitted that the petitioner cannot claim any benefit on grounds of parity as his co-accused were released on bail being juvenile. Learned State counsel on instructions from ASI Balwinder, has however, informed that the petitioner has been behind bars since last more than 1 year & 10 months and that as on date 5 PWs out of cited 21 PWs have been examined.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the present case and while bearing in mind that the petitioner is not alleged to have caused any injury to the deceased and is stated to have given fist blows to the

complainant and has been in custody since last 1 year and 10 months, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

4.9.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**