

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

1. CRM-M-18792-2019

Vikas Sharma

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-38347-2019

Lakhvir Singh

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision: 24.11.2020

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. B. S. Dhillon, Advocate
for the petitioner in CRM-M-18792-2019.

Mr. Harsh Chopra, Advocate
for the petitioner in CRM-M-38347-2019.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Naveen Batra, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

Prayer in these petitions, filed under Section 439 of the Code of
Criminal Procedure, is for grant of regular bail to petitioners Vikas Sharma

and Lakhvir Singh in case FIR No. 122 dated 17.09.2018, registered under Sections 307/323/341/451/506/148/149/120-B of the IPC and Section 25 of the Arms Act, 1959 at Police Station Anandpur Sahib, District Rupnagar.

Learned counsel for the petitioners submit that as per the allegations in the FIR, registered at the instance of complainant Shanti Sarup, it is stated that his son Rohit Bali was present the shop at the time of incident and the petitioner, along with other co-accused, have caused injuries to his son by using a fire arm and victim Rohit Bali sustained three bullet injuries.

Learned counsel for the petitioners further submit that 11 prosecution witnesses have already been examined so far including complainant and injured witness and only the official witnesses are left to be examined, therefore, there is no possibility for the petitioners to tamper with the evidence.

It is further submitted that petitioners are in judicial custody for the last more than two years and the conclusion of trial is likely to take a long time.

Learned counsel for the petitioners further submit that without prejudice to their right of defence, the petitioners are ready to pay an amount of Rs. 50,000/- each to victim Rohit Bali towards his medical expenses.

Learned State counsel, assisted by learned counsel for the complainant, has not disputed the fact that complainant and injured witness have already been examined, however, learned counsel for the complainant submitted that one more FIR was registered in 2019 against the petitioners for intimidating the prosecution witnesses.

In reply, learned counsel for the petitioners submit that petitioners are on bail in the said FIR.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the long custody of the petitioners; stage of trial as well as the fact that petitioners have volunteered to pay Rs. 50,000/- each to victim Rohit Bali towards his medical expenses, the instant petitions are allowed and petitioners Vikas Sharma and Lakhvir Singh are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate concerned.

The petitioners will deposit Rs.50,000/- each with the trial Court/Duty Magistrate at the time of furnishing bail/surety bonds and the same will be handed over to victim Rohit Bali.

The payment of aforesaid amount to victim will not prejudice the right of defence of the petitioners.

A photocopy of this order be placed on the file of other connected case.

24.11.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No