

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209)

CRM-M-18980 of 2021

Date of Decision: 28.06.2021

Gursewak Singh @ Sewak

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Jagjit Singh Sarao, Advocate, for the petitioner.
Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Amol Rattan Singh, J. (Oral)

Case heard by way of video conferencing.

By this petition, filed under the provisions of Section 439 of the Cr.P.C, the petitioner seeks the concession of regular bail, upon FIR no.50, dated 06.05.2020, having been registered at Police Station Passiana, District Patiala, alleging therein the commission of offences punishable under Sections 302, 307, 326, 325, 324, 341, 506, 323, 148, 149, 188 and 120-B of the IPC and Sections 51/54 of the Disaster Management Act, 2005 and Sections 3(2), 5 of the Scheduled Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioner submits that the petitioners' role is identical to that of his co-accused Gurpreet Singh alias Gopi, who was admitted to bail upon him having filed CRM-M-42412 of 2020, on the ground that another co-accused (Gurkirat Pal Singh @ Goldy) who also was attributed the same role, had already been admitted to bail by this court (a coordinate Bench), vide an order passed on 07.12.2020, on the ground that though he was alleged to have armed with sword, no active role was

attributed to him.

He further submits that the petitioner has been in custody for almost 9 months now, with the trial still to commence.

Learned State counsel, on instructions, could not deny that the petitioners' role is not different to that of the aforesaid Gurpreet Singh alias Gopi and Gurkirat Pal Singh @ Goldy.

In view of the above and the fact that the petitioner has been in custody for more than 9 months, without making any comment on the actual merits of the case, this petition is allowed, with the petitioner directed to be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial court.

28.06.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No