

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-21058-2021 (O&M)**

Paramjit Singh @ Pamma ...Petitioner

Versus

State of Punjab ...Respondent

(II) CRM-M-18805-2021 (O&M)

Sahil ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision: 12.08.2021**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Rishu Mahajan, Advocate,
for the petitioner/s.Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Avtar Singh.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose off the aforesaid two petitions i.e. CRM-M-21058-2021 filed on behalf of Paramjit Singh @ Pamma and CRM-M-18805-2021 filed on behalf of Sahil, seeking grant of regular bail in respect of a case registered against them vide FIR No.204 dated 14.12.2020 at Police Station Division No.1, Jalandhar, under Sections 307/324/323/148/149/201/326 IPC.

2. The FIR in question was lodged at the instance of Harpreet Kaur, wherein it is alleged that on 13.12.2020 at about 10:30-10:45 PM, when she alongwith her husband Raj Kumar and her nephew Amrik Singh were going for a walk towards Patel Nagar Maqsoodan, Jalandhar, then two cars stopped near them and 9/10 persons alighted from the said cars, who were armed with weapons like *kirpan* etc. It is alleged that the said persons attacked her husband with *kirpans* and she was able to recognize three out of the said persons as Paramjit Singh @ Pamma, Raju Thapar and Sukha. It is alleged that Raju Thapar @ Raj Kumar hit the husband of the complainant on his head, back, arms etc. Paramjit Singh @ Pamma is stated to have exhorted his companions that the complainant's husband be not spared and be taught a lesson for interfering into their affairs. When the complainant and her husband raised alarm, several persons were attracted to the spot and the accused ran away from the place of occurrence.
3. Learned counsel for the petitioners has submitted that they have falsely been implicated in the present case and that in any case even if the allegations as levelled in the FIR are taken to be correct, still the petitioners deserve the concession of bail on the ground of parity since an identically situated co-accused namely Raj Kumar had been ordered to be released on bail by the trial Court itself vide order dated 21.01.2021.
4. Opposing the petition, learned State counsel has submitted that the petitioners cannot claim any parity on account of the co-accused Raj Kumar having been granted bail inasmuch as he was not

attributed any grievous injury, whereas it is the petitioner Paramjit Singh, who has been attributed a grievous injury. Learned State counsel has further submitted that the specific role attributed to the accused has been clarified by the complainant in her supplementary statement recorded subsequently. Learned State counsel has further informed that while petitioner Paramjit Singh stands involved in one more case registered for offences under Sections 406/498-A IPC, petitioner Sahil is also involved in a case registered under Section 379-A IPC. It has, however, been informed that both the petitioners have been behind bars since the last more than 7 months and that charges are yet to be framed.

5. I have considered rival submissions addressed before this Court.
6. It is no doubt correct that there are specific allegations levelled against the petitioners in the FIR, which to some extent would stand substantiated from the medical evidence. However, in the instant case, one of the co-accused, who had also participated in the occurrence and is also stated to be armed and had caused injuries, has already been released on bail, which would entitle the petitioners to claim parity. Further, the petitioners have been behind bars for a substantial period of more than 7 months and the trial is yet to commence inasmuch as even the charges have not been framed so far. In these circumstances, further detention of the petitioners will not serve any useful purpose as the conclusion of trial will take some time. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction

CRM-M-21058-2021 (O&M) and
CRM-M-18805-2021 (O&M)

of learned trial Court/Chief Judicial Magistrate/Duty Magistrate
concerned.

(GURVINDER SINGH GILL)
JUDGE

12.08.2021
Vimal

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