

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

217

CRM-M-32290-2021

Date of Decision : October 05, 2021

GURDEEP SINGH @ SONI

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Rajesh Duhan, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.89 dated 6.10.2017 under Sections 302, 148, 149 and 120-B of IPC, Police Station Banur, District Patiala.

The learned counsel for the petitioner has submitted that the petitioner is in custody since 8.10.2017 and only 11 out of 33 cited witnesses have been examined till date and since the trial would take a long time, he may be considered for the grant of regular bail. He has further submitted that 3 other co-accused, namely, Sandeep Kaur, Sukhchain Singh and Mohinder Singh have been granted bail by this Court and, therefore, he may also be considered for the grant of regular bail.

On the other hand, Mr. Thind, learned DAG, Punjab has submitted that as per the allegations in the FIR, the petitioner had killed

one Jatinder Singh after first hitting his motor cycle with his car and thereafter killed him with tokia which is a sharp edged weapon and which is supported by the medical evidence. He submitted that so far as the other co-accused are concerned, the petitioner is not at parity with the other co-accused because the role attributed to the petitioner was of killing the aforesaid person with tokia whereas the role attributable to the other co-accused was only giving fist blows on the legs etc.

From the submissions of learned counsels for the parties and a perusal of the record, it can be seen that the other co-accused cannot be said to be at parity with the petitioner because the petitioner is the main accused and the role attributable to the petitioner was of inflicting injuries with a sharp edged weapon/tokia on the deceased and, therefore, he is not at parity with the other co-accused. This Court is, therefore, not inclined to grant bail to the petitioner.

Consequently, the present petition is dismissed.

However, considering the long custody of the petitioner, the trial Court is directed to expedite the trial and to conclude the same as expeditiously as possible.

October 05, 2021
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No