

221-3

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

**CRM-M No.42747 of 2020
Date of Decision: 13.01.2021**

**SAGARPetitioner
Vs
STATE OF PUNJABRespondent**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Sandeep Verma, Advocate
for the petitioner.

Mr. Sarabjit Singh, Asstt. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.94 dated 11.05.2020 under Sections 302, 459, 324, 323, 506, 148, 149 IPC registered at Police Station City Dhuri, District Sangrur.

The case was registered on the statement of Harpreet Kaur. The complainant alleged that she had a fight with her neighbour Nikki and her two sons namely Akashdeep @ Gaggu and Jashandeep Singh about 4-5 months ago.

On 10.05.2020, at about 9.00 P.M., the aforesaid Nikki

and her two sons had started fighting with the husband of the complainant. The complainant brought her husband inside the house and closed the gate. After some time, many persons came outside the gate of the complainant and started exhorting by banging the *dandas* on the gate. When the complainant did not open the gate, then Harshdeep Singh @ Bablu and Samardeep Singh @ Billa scaled over the gate and by coming inside opened it, thereby facilitating entry of others in the house. Harshdeep Singh @ Bablu along with Jashandeep Singh and Akashdeep @ Gaggu dragged the husband of the complainant outside in the *gali*. Thereafter Samardeep Singh @ Billa handed over his knife to Sahil Qureshi, who in turn inflicted stab blows in the abdomen of the husband of the complainant. Akashdeep @ Gaggu also inflicted knife blow on the person of the husband of the complainant.

Learned counsel for the petitioner submitted that no specific part is attributed to the petitioner except to alleged that petitioner is also a member of unlawful assembly. Petitioner himself has received injuries without inflicting any injury on the person of husband of the complainant. Co-accused Harshdeep Singh @ Bablu and Samardeep Singh @ Billa have been granted regular bail by this Court vide order dated 27.10.2020 passed in CRM-M No.32948 of 2020. Petitioner seeks parity

with co-accused Harshdeep Singh @ Bablu and Samardeep Singh @ Billa.

The factual position of the case viz-a-viz. the part attributed to the petitioner is not in dispute, however learned State counsel opposed the bail on the ground that the petitioner has also participated actively in the murder of Gurdeep Singh by becoming member of unlawful assembly. Challan has already been presented and the petitioner may influence the witnesses during trial.

At this stage, in view of part attributed to the petitioner, order dated 27.10.2020 in case of co-accused and the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 13, 2021

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No