

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

CRM-M-13446-2022
Date of Decision:-08.07.2022

SARABJIT SINGH ALIAS GHORA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Shiv Kumar, Advocate for
Mr. N.K. Manchanda, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.184 dated 7.9.2019 registered under Sections 302, 34, 120-B IPC at Police Station City Jagroan, District Ludhiana.

The counsel for the petitioner contends that during the trial, the complainant has not supported the case of prosecution in entirety and on that account co-accused Gurpreet Singh @ Kaku and Davinder Singh were granted regular bail by the Co-ordinate Bench of this Court vide order dated 8.2.2022 (Annexure P-2). The counsel for the petitioner further contends

that the petitioner is also entitled to grant of bail on the basis of parity and otherwise also he is in custody for the last more than 2 years and 8 months.

The bail application is contested by the State counsel on the ground that the petitioner and co-accused are facing charges of murder of Rajbir Kaur wife of co-accused Gurpreet Singh @ Kaku. However, the State counsel has not disputed the fact that the aforesaid Gurpreet Singh @ Kaku and co-accused Davinder Singh have already been granted regular bail vide order Annexure P-2 dated 8.2.2022.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

Undoubtedly the petitioner, Gurpreet @ Kaku and Davinder Singh are facing trial in the present case with regard to murder of Rajbir Kaur wife of aforesaid Gurpreet Singh @ Kaku. Admittedly, co-accused Gurpreet Singh @ Kaku and Davinder Singh were ordered to be released on bail vide order dated 8.2.2022 (Annexure P-2) by the Co-ordinate Bench of this Court while observing that they were behind the bars for the last more than 2 ½ years and the material witness i.e. the complainant has already been examined. The State counsel has failed to show there is any disparity between the case of the petitioner and that of Gurpreet Singh @ Kaku and Davinder Singh. As per the custody certificate of the petitioner, he is recorded to be in custody for the last more than 2 years and 7 months as on 28.4.2022.

In view of the above, no purpose is going to be served by keeping the petitioner in custody for any longer period. Thus without commenting on the merits of the case, the petition is allowed and the

petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

08.07.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No