

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I) **CRM-M-15689-2022 (O&M)**
Date of Decision:- 24.11.2022

Harwinder Singh alias Hira Singh ... Petitioner

Versus

State of Punjab ... Respondent

(II) **CRM-M-16845-2022 (O&M)**

Akashdeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

(III) **CRM-M-13951-2022 (O&M)**

Harmanpreet Singh alias Gopi ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manish Prabhaker, Advocate, for the petitioner
in CRM-M Nos.15689 & 16845 of 2022.

Mr. Ankit kharbanda, Advocate, for the petitioner
in CRM-M-13951-2022.

Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Jagdeep Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned three petitions wherein petitioners Harwinder Singh alias Hira Singh, Akashdeep Singh and Harmanpreet Singh alias Gopi seek grant of regular bail in a case registered vide FIR No. 162, dated 19.5.2021, Police Station Islamabad, Amritsar, under Sections 379-B (2), 341, 323, 324, 506, 148, 149 IPC and Sections 25/27 of Arms Act.
2. The FIR was registered at the instance of Gurwinder Singh @ Ginni, wherein he stated that his elder brother Nishan Singh who is addicted to drugs had not returned back home since the last 2 days. The complainant along with his nephew went to look out for his brother Nishan Singh in the village and came to know that his brother Nishan Singh was sitting in the house of Mukhtiar Singh alias Chunchak. While the complainant and his nephew were proceeding and reached the turning of eastern street of Fatehpur, Dharam Singh, Paramjit Kaur, Hira Singh, Shamsher Singh, Akash son of Narinder Singh, Gopi and another person also named Akash accompanied by 7/8 unknown persons waylaid them. Paramjit Kaur raised a lalkara exhorting her companions to catch hold of the complainant and upon which Dharam Singh hit the complainant with a 'brick' hitting him on his forehead; Hira Singh gave blows with baseball bat hitting the complainant on his left arm and also on his left leg; Shamsher Singh is stated to have stabbed the complainant below his right knee; Gopi

gave a blow with handle of 'spade' on the head of the complainant; Akash resident of Kuripind gave a blow with baseball bat on the back of the complainant. Akash s/o Narinder Singh pointed a pistol like weapon towards the complainant and snatched the gold chain weighing about 3.5 tolas; Hira Singh snatched bracelet of the complainant weighing about 4.5 tolas; Shamsheer Singh snatched complainant's Iphone; thereafter Hira Singh gave a push to the complainant and when he fell down, the accused gave beatings to him. The complainant raised alarm and consequently the accused ran away from the spot.

3. Learned counsel for the petitioners submit that the petitioners have been falsely implicated in the present case. Learned counsel has further submitted that, in any case, the petitioners have been behind bars since the last more than 1 year and that none of the petitioner is attributed any grievous injury. It has further been submitted that co-accused Sukhdeep Singh @ Deepu Loafer, Sukhjinder Singh @ Jammu, Maninder Singh @ Goldy have already been granted regular bail by this Court and therefore, the petitioners are entitled to be released on bail on the ground of parity as well.
4. Opposing the petitions, learned State counsel has submitted that since the petitioners are specifically named in the FIR, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioners as on date have been behind bars since the last more than 1 year and are involved in other cases as well. It has also been informed that as on date none out of the cited 25 PWs has been examined till date.

5. This Court has considered the rival submissions.
6. The petitioners have been behind bars for a substantial period of more than 1 year. Several co-accused of the petitioners have already been granted bail by this Court. Conclusion of trial is likely to consume time inasmuch none out of the cited 25 Pws has been examined so far. In these circumstances, further detention of the petitioners will not serve any useful purpose. As such, without expressing anything on merits, the petitions are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. A photocopy of this order be placed on the file of each connected case.

24.11.2022

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No