

CRM-M-40836-2022 (O&M) and  
CRM-M-41018-2022 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-40836-2022 (O&M)  
Date of Decision: 13.09.2022

(I)  
Manga @ Chabbi

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CRM-M-41018-2022 (O&M)

(II)  
Jaswinder Singh @ Hoshiari

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. Ramesh Sharma, Advocate, for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

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**JASGURPREET SINGH PURI, J. (Oral)**

Both the petitions are taken up together for final disposal since the same arise out of the same FIR with the consent of learned counsel for the parties.

Both the petitions have been filed under Section 439 Cr.P.C for grant of regular bail to the petitioners in case bearing FIR No. 210 dated

28.08.2020, under Sections 452, 323, 427, 506, 148 and 149 IPC (Sections

302, 460, 326 IPC added later on), registered at Police Station Sadar, Kapurthala, District Kapurthala.

The learned counsel for the petitioners has submitted that both the petitioners are in custody from 20.04.2021 and in the present case after the framing of the charges the material witnesses have already been examined including the eye witnesses and now only official witnesses are left. He further submitted that both the petitioners are not named in the FIR and they have been nominated on the basis of disclosure statement made by the co-accused. He further submitted that all the similarly situated co-accused who are at parity with the petitioners have been granted bail by this Court and has referred to Annexure P-2 and P-3 in this regard and has submitted that both the petitioners are not involved in any other case and have got clean antecedents.

On the other hand, Mr. Kunal Vinayak, learned Assistant Advocate General, Punjab has submitted that it is correct that both the petitioners are in custody from 20.04.2021 and it is also correct that both the petitioners are at parity with the other co-accused who have been granted bail by this Court vide Annexure P-2 and P-3.

I have heard the learned counsel for the parties.

In view of the aforesaid facts and circumstances the petitioners are stated to be at parity with the co-accused who have been granted bail by this Court vide Annexure P-2 and P-3 and the fact that the petitioners are not involved in any other case and have got clean antecedents and as per learned counsel for the parties all the material witnesses have already been examined including the eye witnesses, this Court deems it fit and proper to

grant regular bail to the petitioners.

Consequently, both the petitions are allowed. Both the petitioners shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petitions only.

**13.09.2022**  
rakesh

**(JASGURPREET SINGH PURI)**  
**JUDGE**

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|--------------------|---|--------|
| Whether speaking   | : | Yes/No |
| Whether reportable | : | Yes/No |