

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 50315 of 2021

Date of Decision: 31.3.2022

Joginder Singh alias Soni

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. N.S.Dadwal, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. In FIR bearing No. 0205 of 8.10.2021, registered at Police Station City Jagraon, District Ludhiana Rural, offences constituted under Sections 365, 149 IPC, are embodied.

2. The learned counsel for the petitioner argues, that since co-accused namely, Gaurav Goyal, and, Sanjeev Kumar @ Sonu had been admitted to regular bail by the learned Additional Sessions Judge, Ludhiana. Therefore, he argues that similar thereto treatment be accorded to the present petitioner.

3. The learned State counsel submits, that the petitioner has joined investigations, and, is no longer required for any custodial interrogation. He further submits, that the role of the petitioner, in the incriminatory offences (supra), is similar to the one, as attributed to co-accused Gaurav Goyal, and, Sanjeev Kumar @ Sonu, who have already been granted regular bail by the learned Court below. Consequently, when the incriminatory role of the bail

applicant-petitioner in the afore offences, is similar to the above, therefore,

parity of treatment has to be accorded to the bail applicant-petitioner with the afore co-accused.

4. Therefore, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the petitioner, as it would unnecessarily fetter, and, curtail his personal liberty.

5. Consequently, the instant petition is allowed, and, the order made by this Court on 2.12.2021, is made absolute on the same terms and conditions.

6. The afore observations are meant only for the disposal of the present petition, and, shall not affect the merits of the trial arising from the FIR (supra).

(SURESHWAR THAKUR)
JUDGE

March 31, 2022
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No