

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-29468-2023 (O&M)
Date of Decision:19.07.2023

Jaspinder Singh @ Bagga

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Jaswinder Singh Arora, DAG, Punjab.

HARSIMRAN SINGH SETHI J.(Oral)

1. The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No.31 dated 07.04.2022, registered under Sections 302, 201, 34 IPC and under Sections 25, 27, 29, 54 and 59 of Arms Act, registered at Police Station Kotli Surat Mallian, Police District Batala, District Gurdaspur, Punjab.

2. Learned counsel for the petitioner submits that the petitioner has been roped in on the basis of disclosure statement of co-accused Harpreet Singh @ Preet from whom the weapon of offence was recovered. Learned counsel for the petitioner further submits that not only the petitioner was roped in on the basis of disclosure statement of Harpreet Singh @ Preet but another co-accused Lovepreet Singh @ Labbu was also roped in and the similar allegations, as levelled against the petitioner was also against the said co-accused. Learned counsel for the petitioner further submits that the co-accused Lovepreet Singh @ Labbu has already been extended the concession of regular bail by the Coordinate Bench of this Court while passing an order in CRM-M-10829-2023

decided on 10.03.2023. Hence, being similarly situated, the petitioner be also extended the concession of regular bail on the4 ground of parity.

3. Learned State counsel on instructins from ASI Harjinder Singh, concedes the factum that the petitioner was roped in on the basis of disclosure statement of co-accused Harpreet Singh as well as the fact that the similarly situated co-accused Lovepreet Singh @ Labbu has already been extended the concession of bail by the Coordinate Bench of this Court.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5.. Keeping in view the fact that petitioner was roped in on the basis of disclosure statement of co-accused Harpreet Singh, which statement is yet to be proved during the trial coupled with the fact that the similarly situated co-accused Lovepreet Singh @ Labbu has already been extended the concession of bail by the Coordinate Bench of this Court vide order dated 10.03.2023 passed in CRM-M-10829-2023, the petitioner has made out a case for the grant of regular bail on the ground of parity especially when the learned State counsel has not been able to point out any distinguishable fact between the petitioner and the co-accused Lovepreet Singh @ Labbu.

6. Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail in case he is not required to be kept behind the bars in any other case subject to the satisfaction of trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case..

(HARSIMRAN SINGH SETHI)
JUDGE

19.07.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No