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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-34947-2023

Date of decision: 26th July, 2023

Raghvir Singh @ Vasu

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Gursahib Singh, Advocate for the petitioner(s).
Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

1. The present petition has been filed under Section 439 of Cr.P.C. seeking regular bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
53	10 th March, 2023	City Rampura, District Bathinda	307, 458, 380, 323, 325, 427, 148 and 149 of IPC, 1860

2. Learned counsel for the petitioner claims parity with co-accused Kulwinder Singh @ Paddi who was granted regular bail by Sessions court vide order dated 19th April, 2023 in CIS No. BA/1012/2023.

3. On 19th April, 2023, following order was passed:-

- “1. Regular bail application of applicant under Section 439 Cr.P.C is considered.*
- 2. Instant bail application has been filed by the accused- case FIR No.53 dated 10.03.2023 U/s 307/458/380/323/427/148/149 of IPC P.S. City Rampura, Distt. Bathinda.*
- 3. The allegations against the accused person is that the petitioner along with other accused caused 8 injuries to the victim with intention to cause his death.*

4. Case of the petitioner is that he has been falsely implicated. No injury is attributed to him. He is 18 years of age and he obtained 100% marks in 10th class. His senior secondary examination is going on.

5. On the other hand, learned Addl. P.P for the State contested he bail application.

6. I have considered the rival submissions.

7. Heard. The petitioner is 18 years old, new adult. No injury or weapon is attributed to him. Having good academic record and has to appear in examination. It is also not the case of the prosecution that if accused/applicant is released on bail, he would influence the prosecution witnesses or flee the trial. Hence, bail application of the petitioner succeeds and he is directed to be released on bail on furnishing bail bonds in the sum of Rs.60,000/- with one surety in the like amount to the satisfaction of Illaqa Magistrate/Duty Magistrate, subject to the following conditions:-

That accused/applicant will not tamper with the prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any of the person acquainted with the facts of the case, dissuading him from disclosing the same to the court/ investigating agency; and That accused/applicant will not leave the limits of India without prior permission of the court.

That he will appear in the trial court on each and every date of hearing.

8. Copy of this order be sent to the Illaqa/Duty Magistrate for compliance, who is required to send the bonds after attestation, to this Court.

9. Bail application file be consigned to the record room.”

4. Learned counsel for the State though opposes the prayer for grant of bail, on instructions submits that challan has been presented. He is not in a position to distinguish the case of the petitioner qua the co-accused so far as grant of bail is concerned.

5. Without commenting on the merits of the case, on the basis of parity of petitioner vis-a-vis co-accused so far as grant of bail is concerned, considering that petitioner is a student, no specific injury attributed and though the investigation is complete conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty

Magistrate concerned.

6. The petition is allowed.

7. Since the main case has been allowed, pending application if any is rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

26th July, 2023

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No