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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-51215-2023
Date of Decision: 18.10.2023

Jaspreet Singh Petitioner
Versus
State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vipul Jindal, Advocate
for the petitioner.

Mr. H.S. Sitta, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.90 dated 22.06.2015, under Sections 307, 353, 332, 225, 212, 216, 148, 149, 473 IPC and Section 25 of the Arms Act, registered at Police Station Civil Lines, Batala, District Gurdaspur.
2. It has been submitted by the learned counsel for the petitioner that in the present case the petitioner is in custody since 03.05.2023 and the investigation of the case has already been completed and thereafter, challan has also been presented before the competent Court. He further submitted that in the present case the allegation against the petitioner was that he had allegedly harboured the other co-accused, who had got the person released from the custody of the police. He further submitted that even as per the prosecution itself, the role of the petitioner is only qua the offences under Section 212 & 216 IPC and both the offences are bailable offences and also

submitted that similar situated co-accused, namely, Lovejeet Singh @ Love has already been extended the benefit of regular bail by this Court on 12.09.2023 vide Annexure P-7 and the petitioner is exactly at parity with the aforesaid co-accused.

3. On the other hand, Mr. H.S. Sitta, DAG, Punjab submitted that it is correct that the petitioner is in custody since 03.05.2023 and it is also correct that the petitioner is at parity with the aforesaid co-accused, who has been extended the benefit of regular bail by this Court vide Annexure P-7.

4. In view of the aforesaid position where both the learned counsels for the parties have submitted that the petitioner is at parity with the aforesaid co-accused and the role qua the petitioner is only pertaining to harbouring and the offences qua him are only under Sections 212 and 216 IPC. Therefore, this Court is of the view that the petitioner also deserves the concession of regular bail.

5. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

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

18.10.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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