

S. No.240

2023:PHHC:152266

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-59346 of 2023

Date of Decision:30.11.2023

Baljit Singh @ Baljit Singh Mangat @ MothaPetitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kanwaljeet Singh, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner has prayed for grant of regular bail in case FIR No.97 dated 18.06.2023 registered under Sections 379-B, 34 IPC (Section 411 IPC added later on) at Police Station Dakha, District Ludhiana Rural.

Learned counsel for the petitioner contends similarly placed co-accused Daljinder Singh @ Dulla has already been allowed regular bail by this Court vide order dated 30.10.2023 passed in CRM-M-51643 of 2023 (Annexure P.2). Besides, another co-accused Harwinder Singh was also allowed bail by the Court of learned Additional Sessions Judge, Ludhiana on 21.11.2023, copy of which has been placed on record. Learned counsel further contends that petitioner is not named in the FIR and that FIR was lodged after 25 days of the incident. It is further contended that petitioner has no criminal antecedents.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab, accepts notice on behalf of the respondent- State.

Learned State Counsel could not refute the afore-said contentions. It is conceded that case of the petitioner is on similar footing with that of the co-

accused, who has already been allowed bail and that petitioner has no criminal antecedents.

As per the custody certificate placed on record, petitioner is in custody for the last 05 months and 12 days.

Having regard to the afore-said facts and circumstances, particularly on the basis of parity, but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/ Duty Magistrate concerned.

November 30, 2023

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Whether Speaking/reasoned

Whether Reportable

Yes/No

Yes/No

(DEEPAK GUPTA)

JUDGE