

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(232)

CRM-M-2579-2024
Date of Decision:- 14.02.2024

Talwinder Singh @ Tittu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Mukesh Garg, Advocate for the petitioner.

Mr. Durgesh Garg, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition is for grant of regular bail to the petitioner in case FIR No.237 dated 01.06.2023, under Section 379-B (2) of the Indian Penal Code (Sections 323 and 201 IPC added later on), registered at Police Station Goindwal Sahib, District Tarn Taran (Annexure P-1).
2. Learned counsel for the petitioner prays for parity and submits that the co-accused Mandeep Singh @ Manu has been granted the concession of bail by this Court on 07.11.2023 and the present petition is identically placed.
3. Notice of motion.
4. Mr. Durgesh Garg, AAG, Punjab, accepts notice on behalf of respondent-State and files the custody certificate of the petitioner in Court today, which is taken on record, according to which the petitioner is in custody for the last 08 months and 11 days.

5. Learned State counsel has vehemently opposed the grant of any concession to the petitioner on the strength of bad antecedents as there are two more FIRs lodged against the petitioner.

6. At this stage, learned counsel for the petitioner submits that interestingly out of the two other FIRs in which he was nominated, one was lodged after the present FIR i.e. on 02.06.2023 and another FIR in which he has been nominated, was lodged on 15.05.2023, however, the petitioner is not on bail in those FIRs.

7. In view of the above and without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

- i. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii. The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- iii. The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv. The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

8. It is made clear that, in case, the petitioner is found involved in any other FIR except for those mentioned in the custody certificate the present concession granted shall be considered for being vacated and the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

10. It is further made clear that this order shall not be construed as parity *qua* any other co-accused.

(ALOK JAIN)
JUDGE

February 14, 2024
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Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No