

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

205

CRM-M-3013-2024

Date of Decision :07.03.2024

Deepak Kumar @ Kaka Bangala**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Damanjit Singh Sandhu, Advocate for the petitioner.

Ms. Saguna Arora, AAG, Punjab.

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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 respect of FIR No.88 dated 08.05.2022 registered under Sections 307,452,427,148,149 and 506 of the IPC and Sections 25,27,54 and 59 of the Arms Act at Police Station Tibba. District Ludhiana.

2. Learned counsel for the petitioner argues that the petitioner was not named in the FIR but he has only been roped in on the basis of the supplementary statement of the victim and no injury or weapon has been attributed to the petitioner and he is behind the bars for the last 01 year and 09 months and out of the total 13 cited witnesses, no witness has been examined so far. Learned counsel for the petitioner submits that similarly situated co-accused namely, Mouvish Bains and Sagar @ Nutran have

already been granted concession of regular bail by this Court while passing order dated 13.12.2023 (Annexure P/5) in CRM-M-57133-2023 and CRM-M-60587-2023 respectively hence, on the ground of parity, the petitioner may kindly be extended concession of regular bail.

3. Learned State counsel submits that the petitioner is also involved in other two cases but concedes qua the facts and circumstances of the present case that no injury upon the victim or weapon has been attributed to the petitioner. It is also conceded by the learned State counsel that similarly situated co-accused namely, Mouvish Bains and Sagar @ Nutran have already been granted concession of regular bail by this Court while passing order dated 13.12.2023 in CRM-M-57133-2023 and CRM-M-60587-2023 respectively.

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 the petitioner was not named in the FIR but was only roped in on the basis of supplementary statement of the victim and even as of now, no injury upon the victim or weapon has been attributed to the petitioner, coupled with the fact that the petitioner is behind the bars for the last 01 year and 09 months and out of the total 13 cited witnesses, none of the witness has been examined so far hence, the petitioner has made out a case for the grant of benefit of regular bail especially, when similarly situated co-accused namely, Mouvish Bains and Sagar @ Nutran have already been granted concession of regular bail by this Court while passing order dated 13.12.2023 in CRM-M-57133-2023 and CRM-M-60587-2023 respectively.

Learned counsel for the petitioner has undertaken before this Court that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded in any manner. In case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

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.

March 07, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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