

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229- (5 cases)

Date of Decision:- 30.09.2024

(1) CRM-M-16903-2022

SURAJ @ SURAJ PARKASHPetitioner
Vs.

STATE OF PUNJAB ...Respondent

(2) CRM-M-10909-2022

GOPAL @ GOPI @ MAKHIPetitioner
Vs.

STATE OF PUNJAB ...Respondent

(3) CRM-M-31900-2022

ROHAN KUMAR @ YOG ...Petitioner
Vs.

STATE OF PUNJAB ...Respondent

(4) CRM-M-40289-2023

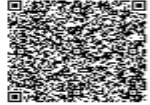
NEERAJ ...Petitioner
Vs.

STATE OF PUNJAB ...Respondent

(5) CRM-M-21433-2022

SAHIL @ GIFTY ...Petitioner
Vs.

STATE OF PUNJAB ...Respondent



CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sahil Sharma, Advocate for
Ms. Monita Mehta, Advocate for petitioner (s)
in CRM-M-16903-2022 and CRM-M-40289-2023.

Mr. Mandeep Singh Sachdev, Advocate for petitioner
in CRM-M-31900-2022.

Mr. Akbarjit Singh, Advocate for petitioner
in CRM-M-21433-2022.
(Through V.C.)

Mr. Lakhwinder Singh Lakhanpal, Advocate for petitioner
in CRM-M-10909-2022.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J. (Oral)

1. Bail applications, as referred above, are taken up together with the consent of learned counsel for petitioners as the same have arisen out of the same FIR. For the convenience of this Court, documents referred in CRM-M-16903-2022 will be referred.

2. Aforesaid petitioners namely Suraj @ Suraj Parkash, Gopal @ Gopi @ Makhi, Rohan Kumar @ Yog, Neeraj and Sahil @ Gifty have filed regular bail applications in FIR No.19 dated 10.02.2020, under Sections 302, 148 and 149 of IPC, registered at Police Station Division No.6, Police Commissionerate, Jalandhar, District Jalandhar (Annexure P-1).

3. Brief facts of the case are Surakh Lal complainant gave his statement to the police that on 09.02.2020 he along with his nephew

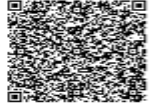
Sarabjit @ Cheema and Raju @ Aalu had come to Abadpura to see fair of



Guru Ravidas Ji. They were going towards Boota Mandi Ravidass Chowk and at about 11.45 pm in the lights of fair he saw that when his nephew Sarabjit Singh reached divider of Ravidass Chowk, Neeraj and Suraj, who are real brothers accompanied by four persons came from front side and started abusing Sarabjit and raised lalkara telling Neeraj that Sarabjit should not be allowed to be scotfree. Neeraj gave blow with some sharp edged weapon on the neck of his nephew Sarabjit and Suraj gave another blow with sharp edged weapon at the back of his head. Thereafter, Neeraj called upon Kundan and Jogi to inflict injuries on the person of Sarabjit who further caused injuries with their respective sharp edged weapons. Suraj called upon Sahil and Gopi who also caused injuries to his nephew. On alarm raised by him, they fled away with their respective weapons. Sarabjit was taken to Johal Hospital, Jalandhar but he succumbed to the injuries suffered by him. Reason behind this occurrence was both Neeraj and Suraj used to behave like goons in Mohalla Abadpura and his nephew Sarabjit used to stop them from behaving in this manner. Because of this reason Sarabjit @ Cheema was killed by the aforesaid persons.

4. Learned counsel for petitioners pointed out that all accused are facing trial since long. They were granted interim bail by the then Coordinate Bench and since then they are regularly appearing before the trial Court and facing trial. Material witnesses have been examined. They are ready to abide by the terms of bail order. Therefore, interim bail already granted in their faovur may be confirmed.

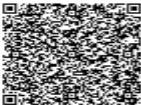
5. Learned counsel representing State filed status report confirming that after the arrest of accused persons challan in this case was presented on 21.04.2020. At present, entire prosecution evidence has been concluded



and the case is pending for defence evidence.

6. I have considered the arguments advanced before me and have gone through the record carefully. It is matter of record that Suraj @ Suraj Parkash, Rohan Kumar @ Yog and Gopal @ Gopi were granted interim bail by the Coordinate Bench vide order dated 25.07.2023 whereas Neeraj and Sahil @ Gifty were granted interim bail by the Coordinate Bench in this case vide order dated 21.11.2023 and since then they are on interim bail and facing trial. Record further shows that statements of Surakh Lal (PW1) and Vishal (PW2) are already recorded. Their statements are Annexure P-4 & P-5. After completion of investigation, challan was presented and at present prosecution evidence has been concluded. After recording of statements of accused under Section 313 Cr.P.C. trial is pending for defence evidence. Therefore, at present trial is at its feg end. No doubt allegations are serious. Considering the aforesaid factual position, without going on the merits of the case, regular bail applications filed by petitioners Suraj @ Suraj Parkash (CRM-M-16903-2022), Gopal @ Gopi @ Makhi (CRM-M-10909-2022), Rohan Kumar @ Yog (CRM-M-31900-2022), Neeraj (CRM-M-40289-2023) and Sahil @ Gifty (CRM-M-21433-2022) are allowed. Interim bail already granted vide order dated 25.07.2023 to petitioners Suraj @ Suraj Parkash, Rohan Kumar @ Yog and Gopal @ Gopi and vide order dated 21.11.2023 to petitioners - Neeraj and Sahil @ Gifty stand confirmed with same terms and conditions.

7. Since, case is fixed for defence evidence, therefore, trial Court is directed to decide the case preferably within two months.



8. Pending miscellaneous application(s), if any, stand disposed of accordingly.

30.09.2024

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(AMARJOT BHATTI)
JUDGE

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