

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CRM-M-49456-2023 (O&M)
Date of Decision.:25.01.2024

Tarun Kumar @ Bamb
Vs.
State of Punjab

.....Petitioner
.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

Status report by way of an affidavit of Shri Mandeep Singh, PPS, ACP (West) Ludhiana along with custody certificate has been filed on behalf of respondent- State. Copy supplied.

2. The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.180 dated 20.05.2020 registered under Sections 302 & 34 of the IPC (Section 411 of the IPC added later on) registered at Police Station Haibowal, District Police Commissionerate, Ludhiana.

3. As per allegations, three persons with muffled faces caused knife injury on the chest of Ramu, resulting in his death. FIR was lodged on the statement of Santosh, the brother of deceased Ramu. It is also the allegation that one Rajinder Sharma overheard petitioner Tarun Kumar @ Bamb and two co-accused namely Rohan Verma and Nitin, to have committed the crime. As per that statement, it is the petitioner, who

allegedly gave knife blow in the chest of deceased Ramu.

4. It is contended by learned counsel for the petitioner that neither Santosh, the complainant of the case; nor Rajinder Sharma who allegedly overheard the conversation have supported the prosecution case. In this regard, learned counsel has drawn attention towards their testimony which have been placed on record as Annexure P-2 and Annexure P-3. It is further contended that similarly placed co-accused Rohan Verma and Nitin Verma have already been allowed bail by this Court vide order dated 22.08.2023 passed in CRM-M-15386-2023 (Annexure P-4) and order dated 31.10.2023 passed in CRM-M-43045-2023 (O&M).

5. Learned State counsel could not refute any of the aforesaid contentions. The custody certificate reveals that petitioner is in custody for the last 02 years 01 month and 19 days though he is involved in other criminal cases also.

6. Having regard to the above facts and circumstances, particularly on the basis of parity, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

January 25, 2024

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No