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

CRM-M-14437-2025

Date of Decision:13.05.2025

JATINDER KUMAR ALIAS JONY

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

**Coram : Hon'ble Mr. Justice N.S.Shekhawat****Present :** Mr. Ajay Pal Singh Rehan, Advocate  
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

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**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.90 dated 14.11.2019, registered under Sections 399, 402, 307 & 473 of IPC & Sections 25 of Arms Act, 1959, Police Station Rureke Kalan, District Barnala.

2. Learned counsel for the petitioner contends that even though the petitioner was named in the FIR, but he had no concern with the crime, allegedly committed by his co-accused. It was falsely shown that the petitioner had run away from the spot. He further submits that in the present case, Lovejit Singh, Manish Parbhakar, Parwinder Singh, Amarvir Singh were arrested by the police and they have already been granted the concession of bail by the Court of

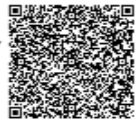


ACJM, Barnala on 13.02.2020. Even the case of the petitioner is at par with the case of those accused. The petitioner was arrested in the present case on 13.01.2025 and challan has already been presented against him. He further submits that even no recovery was effected from him in the present case and the petitioner is not in a position to influence the witnesses of the prosecution.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. He further submits that the petitioner alongwith the other co-accused had committed a serious crime and due to negligence on the part of certain police officials, challan could not be presented against four accused namely Lovejit Singh, Manish Parbhakar, Parwinder Singh, Amarvir Singh. Consequently, the petitioner cannot take the advantage of order Annexure P-1. He further contends that the departmental enquiry has been initiated against 09 police officers and the said enquiry shall be taken to its logical end. He has also filed reply by way of an affidavit of the Deputy Superintendent of Police, Sub Division Tapa, District Barnala on behalf of the respondent-State and the same is taken on record.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. In the present case, no-doubt four accused namely Lovejit Singh, Manish Parbhakar, Parwinder Singh, Amarvir Singh have been granted the concession of bail under Section 167(2) Cr.P.C., but the petitioner cannot be denied the benefit of bail on parity. In the present case, no recovery was effected from the present petitioner and even the petitioner was not arrested at



the spot. Still further, no prosecution witness has been examined so far. Thus, the further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

13.05.2025  
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(N.S. SHEKHAWAT)  
JUDGE

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