

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

**Criminal Misc. No. M-10858 of 2015
Date of Decision: 21.5.2015**

Daljinder Singh @ Kaka

--Petitioner.

Vs.

State of Punjab

--Respondents.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. G.S.Sirphikhi, Advocate
for the petitioner.

Mr. K.D.Sachdeva, Additional A.G. Punjab.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 2 dated 6.1.2013 registered under Sections 307/399/402/395/419/420/467/468/471/463/465/411 IPC, Sections 25/54/59 of the Arms Act and Section 177 of Indian Majority Act, 1875 registered at Police Station Ghuman, Tehsil Batala, District Gurdaspur.

Learned counsel for the petitioner places reliance on the order Annexure P-1 (colly), passed by this Court, whereby three co-accused of the petitioner were granted the concession of bail pending trial. He submits that since the petitioner is identically placed with his other co-accused, he is also entitled for the concession of bail pending trial. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from SI Randhir Singh, submits that case of the petitioner is clearly distinguishable from the cases of his other co-

accused namely Robin Singh, Harjinder Singh @ Jinda and Raghbir Singh, because no recovery was effected from them whereas the recovery was effected only from the present petitioner. In this view of the matter, he prays for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for the concession of bail pending trial.

At this stage, learned counsel for the petitioner seeks permission of the Court to withdraw the present petition.

Permission is granted.

Dismissed as withdrawn.

(RAMESHWAR SINGH MALIK)
JUDGE

21.5.2015
AK Sharma