

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

**CRM-M-14050 of 2015 (O&M)
Date of Decision: 08.05.2015**

Gurnman Singh

--Petitioner.

Vs.

State of Punjab

--Respondent.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Ms. Rishma Verma, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 258 dated 20.11.2013 under Sections 307/34 IPC (Sections 115/120-B IPC were added later on) and Sections 25/54/59 of the Arms Act registered at Police Station Division No.7, Jalandhar.

Notice to the Advocate General, Punjab.

On the asking of the Court, Mr. K.D.Sachdeva, Additional A.G, Punjab, accepts notice.

Learned counsel for the petitioner places reliance on two orders passed by this Court, one is order dated 19.3.2015 passed in CRM-M-4772 of 2015 (Gurmail Singh Vs. State of Punjab) and another is dated 1.10.2014 passed in CRM-M-24732 of 2014 (Harmandeep Singh and another Vs. State of Punjab), to contend that since the present petitioner is identically placed with his co-accused-Harmandeep Singh, he is also entitled for bail pending trial.

She prays for allowing the present petition.

AMIT KUMAR
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I attest to the accuracy and
authenticity of this document

On the other hand, learned counsel for the State, on instructions from ASI Surinder Pal Singh, Police Station Division No. 7, Jalandhar, submits that since petitioner was the main accused and fired from his pistol, which has been recovered from him, he is not entitled for bail pending trial, as his case is distinguishable from his other co-accused. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and careful perusal of the record of the case, this Court is of the considered opinion that petitioner deserves the concession of bail pending trial. It is so said, because the co-accused of the petitioner namely Harmandeep Singh, who was identically placed with the present petitioner, has already been granted bail pending trial. Further, the learned counsel for the State, despite his best efforts, could not distinguish the present case from that of Harmandeep Singh.

Without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, present petition is allowed. Petitioner is directed to be released on bail pending trial subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial court/Duty Magistrate.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

08.05.2015
Ak Sharma