

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

**CRM-M-18556 of 2015
Date of Decision: 4.6.2015**

Ashok Kumar

--Petitioner.

Vs.

State of Punjab

--Respondents.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. D.S.Malwai, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 49 dated 30.3.2015 under Sections 420/120-B/465/467/468/471 IPC, registered at Police Station Canal Colony, Bathinda.

Notice to the Advocate General, Punjab.

On the asking of the Court, Mr. P.S.Bajwa, DAG, Punjab, accepts notice.

Learned counsel for the petitioner places reliance on the order dated 30.4.2015 passed by the learned Additional Sessions Judge, Bathinda, (Annexure P-2), whereby identically placed co-accused of the petitioner namely Jagtar Singh was granted 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 ASI Mukhtar Singh, submits that since the case of

the petitioner is distinguishable from the case of his co-accused Jagtar Singh, he is not entitled for the concession of bail pending trial. 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 been found entitled for bail pending trial. It is so said, because despite having made his best efforts, learned counsel for the State could not distinguish the present case from the case of the co-accused of the petitioner namely Jagtar Singh, who was granted the bail by learned Additional Sessions Judge, Bathinda.

In view of the above and without commenting any 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, on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Duty Magistrate, Bathinda.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

4.6.2015
AK Sharma