

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

CRM-M-31500-2015

Date of decision: 28.09.2015

Ranbir Singh Billa

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.87 dated 01.08.2014 under Sections 302, 307, 341, 427, 148, 149, 120-B IPC and Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

Learned counsel for the petitioner places reliance on an order dated 04.09.2015 passed by this Court in CRM-M-28856-2015 (Kulwinder Singh @ Sauki Vs. State of Punjab) to contend that case of the present petitioner is almost identical. He further submits that although the petitioner was not attributed any injury and in that situation, recovery of the baseball would be of no consequence. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Harbhajan Singh, Police Station Sadar Sri Muktsar Sahib, submits that case of the present petitioner is distinguishable from Kulwinder Singh @ Sauki-his co-accused. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered opinion that case of the present petitioner has been found almost identically placed with his abovesaid co-accused Kulwinder Singh @ Sauki. There is no attribution against the petitioner. No particular injury has been attributed to the petitioner. The recovery of alleged baseball, in such a situation, would not be of much consequence. Further, since the prosecution evidence is still going on, conclusion of trial will take time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

28.09.2015
vishnu