

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

**CRM-M-32227 of 2015 (O&M)
Date of Decision: 30.9.2015**

Gurwinder Singh

--Petitioner.

Vs.

State of Punjab

--Respondent.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Ms. G.K.Mann, Advocate
for the petitioner.

Ms. Anmol Grewal, AAG, Punjab.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 261 dated 12.12.2014 under Sections 302/307/324/452/427/148/149 IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station Lopoke, District Amritsar.

Learned counsel for the petitioner places reliance on four orders passed by this Court contained in Annexures P-1 to P-4, whereby similarly situated co-accused of the petitioner were granted the concession of bail pending trial. She further submits that since case of the present petitioner is identically placed with his co-accused, he is also entitled for bail pending trial. She prays for allowing the present petition.

On the other hand, learned counsel for the State submits that case of the present petitioner is not identically placed with his

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co-accused namely Jodha Singh, Sarabjit Singh, Jaspal Singh and Makhtool Singh and the petitioner is not entitled for bail pending trial. She prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after careful perusal of record of the case, particularly abovesaid four orders passed by this Court contained in Annexures P-1 to P-4, petitioner has also been found entitled for the concession of bail pending trial. In fact, except the general allegations, no specific role has been attributed to the petitioner.

Learned counsel for the State, despite making her best efforts, could not deny the material fact that case of the present petitioner is identically placed with the abovesaid co-accused. Further, since the prosecution evidence has just started, conclusion of trial will take some time.

In view of the above and without commenting anything on the merits of the case, at this stage, lest it should prejudice to 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

30.9.2015
AK Sharma