

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH.

Crl.Misc. No.M-33115 of 2015  
Date of Decision : 5.10.2015

Bagicha Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

...

Present : Ms. G.K. Mann, Advocate for the petitioner.  
Mr.K.D. Sachdeva, Addl. A.G., Punjab.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

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, Distt. Amritsar Rural.

Learned counsel for the petitioner places reliance on the order of this court at Annexures P-1 to P-4, to contend that similarly situated co-accused of the petitioner have been granted the concession of bail pending trial. She prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from S.I. Tejinder Singh, Police Station Lopoke, Distt. Amritsar Rural, submits that the petitioner is not identically placed with his co-accused namely; Jodha Singh and others, because of which he is not entitled for bail pending trial. He prays for dismissal of the present petition.

Having heard learned counsel for the parties and after careful perusal of the record of the case, this court is of the considered opinion that since the petitioner has been found identically placed with his above said co-accused Jodha Singh etc. he is also entitled for bail pending trial. The allegations levelled against the petitioner are general in nature. No specific role has been attributed to the petitioner. Learned counsel for the State, despite making his best efforts, could not distinguish the case of the petitioner from his above said co-accused Jodha Singh etc. Further, since the prosecution evidence is yet to start, conclusion of trial will take some time.

In view of the above and without commenting anything further on the merits of the case, 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 the learned trial court.

Disposed of, accordingly.

5.10.2015  
GS

(RAMESHWAR SINGH MALIK)  
JUDGE