

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

CRM-M-34130-2015

Date of decision: 13.10.2015

Bawa Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. P.B.S. Goraya, Advocate
for the petitioner.

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

Ms. G.K. Mann, Advocate and
Mr. Narinder Singh, Advocate
for the complainant.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in DDR No.26 dated 12.12.2014 in FIR No.261 dated 12.12.2014 under Sections 302, 307, 324, 506, 148, 149, 427 IPC and Sections 27, 29, 54, 59 of Arms Act, registered at Police Station Lopoke, District Amritsar.

Learned counsel for the petitioner places reliance on numerous orders passed by this Court, including Annexure P-1 & P-2, to contend that case of the present petitioner is on better footing than his co-accused Makhtool Singh and Jaspal Singh who were granted the concession of bail by this Court, vide order dated 24.08.2015. He prays for allowing the present petition.

On the other hand, learned counsel for the State as well as learned counsel for the complainant submit that petitioner is not identically

placed with abovesaid Makhtool Singh and Jaspal Singh. They pray for dismissal of the present petition.

After hearing learned counsel for the parties and careful perusal of the record of the case, this Court is of the considered opinion that keeping in view the totality of facts and circumstances of the case, petitioner has also been found entitled for bail pending trial. It is so said because despite having made their best efforts, learned counsel for the State as well and learned counsel for the complainant could not distinguish the case of present petition from his abovesaid co-accused Makhtool Singh and Jaspal Singh who have already been granted the concession of bail by this Court.

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 and the 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

13.10.2015
vishnu