

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-35938-2015
Date of decision:30.10.2015**

Gurjit Singh @ Lada

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

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

Present: Mr.Veneet Sharma, Advocate for the petitioner.
Mr. Daljeet Singh Virk, AAG, Punjab.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks bail pending trial in cross version case recorded vide DDR No.26 dated 12.12.2004 under Sections 302, 307, 324, 452, 427, 148, 149 and Sections 25 and 27 of the Arms Act in case FIR No.261 dated 12.12.2014 under Sections 302, 307, 324, 452, 427, 148 and 149 IPC and Sections 25 and 27 of the Arms Act at Police Station Lopoke, Amritsar Rural, District Amritsar.

Learned counsel for the petitioner places reliance on three orders of this Court contained in Annexures P-3 to P-5 passed by this Court, whereby three co-accused of the petitioner were granted the concession of bail by this Court. He submits that since present petitioner is also identically placed, he is entitled for the concession of bail pending trial. He prays for allowing the present petition.

On the other hand, learned counsel for the State submits that since petitioner is not identically placed, he is not entitled for bail. 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 keeping in view the peculiar facts and circumstances of the case, petitioner has been found entitled for bail pending trial. It is so said, because despite making his best efforts, learned counsel for the State could not distinguish the case of the present petitioner from that of his above-said three co-accused and rightly so, it being a matter of record. Further, since the prosecution evidence is yet to start, conclusion of the trial will take time.

In view of the above and without commenting anything further on merits of the case 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.

30.10.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE