

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

CRM-M-38604-2015

Date of decision: 07.12.2015

Dara Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Vivek Goel, Advocate
for the petitioner.

Mr. Daljit Singh Virk, AAG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.129 dated 17.07.2013 under Sections 15, 25, 61, 85 of NDPS Act and Sections 379, 411, 482 IPC (added later on), registered at Police Station City Kot-Kapura, District Faridkot.

Learned counsel for the petitioner places reliance on two orders passed by this Court in CRM-M-31171-2015 dated 28.09.2015 (Iqbal Singh Vs. State of Punjab) and in CRM-M-34323-2015 (Rajwinder Singh Vs. State of Punjab) dated 14.10.2015, to contend that case of the present petitioner is identically placed and he is also entitled for bail pending trial. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from HC Surinderjeet Singh, Police Station Kot-Kapura, Faridkot, submits that there is a material change in the circumstances as on date, because out of total 18 PWs, 16 PWs have already been examined and the remaining

02 PWs have been summoned for the next date of hearing i.e. 21.12.2015.

He further submits that since the trial is about to conclude, petitioner is not entitled for bail pending trial, at this stage. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that keeping in view the stage of trial, petitioner has not been found entitled for bail pending trial, at this stage. It is so said because out of total 18 PWs, 16 PWs have already been examined and the remaining 02 PWs have been summoned for the next date of hearing i.e. 21.12.2015. Heavy recovery of contraband has been effected in the present case.

In view of the above, case of the present petitioner has not been found similarly situated with the abovesaid co-accused namely Iqbal Singh and Rajwinder Singh. No case for bail pending trial has been made out, at this stage.

Dismissed.

[RAMESHWAR SINGH MALIK]
JUDGE

07.12.2015
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