

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

**Criminal Misc. No. M-5495 of 2015
Date of Decision: 4.3.2015**

Shamsher Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. T.PS Tung, Advocate
for the petitioner.

Ms. Anmol Grewal, AAG, Punjab.

RAMESHWAR SINGH MALIK J.(ORAL)

Petitioner seeks bail pending trial in FIR No. 131 dated 25.11.2014 under Sections 302/201/120-B IPC registered at Police Station, Raikot, District Ludhiana (Rural).

Notice of motion.

On the asking of the Court, Ms. Anmol Grewal, AAG, Punjab, accepts notice on behalf of the State. She submits that though report under Section 173 Cr.P.C. has been submitted on 23.2.2015, but the case is yet to be committed for sessions trial.

On the other hand, learned counsel for the petitioner places reliance on three orders passed by this Court vide Annexures P-2 to P-4 whereby three co-accused of the petitioner were granted anticipatory bail out of the same FIR. He further submits that petitioner is better placed than his abovesaid three co-accused, who

have already been granted concession of anticipatory bail by this Court. He concluded by submitting that since the case is yet to be committed for sessions trial, it will take pretty long time. Petitioner was arrested on 26.11.2014 and is inside jail for more than three months.

Having heard the learned counsel for the parties, after careful perusal of record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner deserves to be released on bail pending trial.

It is so said, because three co-accused of the petitioner have already been granted concession of anticipatory bail by this court vide Annexures P-2 to P-4. It is also not in dispute that the petitioner has been made accused only with the aid of Section 201 IPC. He is inside jail for more than three months and trial will take long time, as the same is yet to commence.

Accordingly, petitioner is directed to be released on bail pending trial on furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

4.3.2015
AK Sharma