

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

Date of decision:11.02.2016

Bachittar Singh @ Pavittar Singh Sekhon

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Gurmohan Singh Bedi,Advocate for the petitioner

Ms.Rimplejeet Kaur,AAG Punjab assisted by
ASI Mohinder Singh

Jaswant Singh,J.(Oral)

Prayer is for grant of regular bail to accused Bachittar Singh @ Pavittar Singh Sekhon in case FIR No.50 dated 30.4.2015,PS Nurpur Bedi, under Sections 307,353,186,148,149 IPC, and Sections 25/27/54/59 of the Arms Act,1959.

As per allegations levelled by complainant-SI Bhagwant Singh, on a secret information, five persons of a gang were intercepted while travelling in a car. Three accused namely Joga Singh, present petitioner-Bachittar Singh @ Pavittar Singh,and injured Manpreet Singh son of Lakhbir Singh were apprehended while two co-accused namely Shamsher Singh and Manpreet Singh @ Manna managed to flee. The gang is alleged to be operated by a dreaded gangster Jagga Singh @ Jaggu,who is in prison in other FIRs.

Allegation is that the occupants of the car were proceeding to meet co-accused Malkeet Singh in order to know the identity of person to be killed on contract killing.

It is contended that except the disclosure statement of the apprehended accused Manpreet Singh son of Lakhbir Singh implicating the petitioner there is no evidence collected by the prosecution against the present petitioner. It is further contended that although there are allegations of firing on the police party, however, there are no injuries on any of the police personnel and in any case no recovery of any weapon has been effected from the present petitioner. It is further contended that petitioner is in custody since 30.4.2015 and challan has been presented. It is further submitted that similarly placed co-accused Joga Singh @ Goru Pehalwan has since been enlarged on regular bail.

Learned State counsel on instructions from ASI Mohinder Singh does not dispute the aforesaid factual position.

Without expressing anything on the merits of the case, keeping in view the fact that the challan has been presented and the trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner in custody as also parity of treatment, the present petition is allowed and petitioner is directed to be released on bail subject to the satisfaction of CJM/Duty Magistrate, Roop Nagar.

11.02.2016
joshi

(Jaswant Singh)
Judge