

**Sr. No. 214
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No. M-10790 of 2015
Date of Decision: 01.09.2015**

Rajender and another

--Petitioners

Vs

State of Haryana

--Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Abhimanyu Singh, Advocate,
for the petitioners.

Mr. Ashish Yadav, Additional A.G.Haryana.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioners seek bail pending trial in FIR No. 172 dated 17.10.2014 under Sections 147, 148, 149, 323, 324 and 307 of the Indian Penal Code registered at Police Station Hassanpur, District Palwal (Haryana).

Learned counsel for the petitioners submits that case of the petitioners is identically placed with their co-accused, namely, Nathi who has been granted the concession of bail by this Court vide order dated 27.02.2015 (Annexure P-4) passed in CRM No. M-5882 of 2015. He prays for allowing the present petition.

Learned State counsel on instructions from ASI Birhampal, Police Station Hassanpur, District Palwal submits that case of the petitioners is not identically placed with their co-accused, namely, Nathi. The weapon which was recovered from Nathi was a

lathi whereas sharp-edged weapon was recovered from the petitioners. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioners have been found entitled for bail pending trial. It is so said because the case of the petitioners has been found identically placed with their co-accused who has been granted the concession of bail by this Court vide order dated 27.02.2015 (Annexure P-4). Despite making his best efforts, learned counsel for the State could not distinguish the present case from the case of co-accused of the petitioners, namely, Nathi and rightly so, it being a matter of record. Further since the prosecution evidence is still going on, conclusion of the trial will take long time.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, present petition is allowed. Petitioners are directed to be released on bail pending trial, on their furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

01.09.2015
vandana