

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

CRM-M-17310-2015

Date of decision: 03.06.2015

Naveen @ Lilla

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Azad Singh, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.14 dated 15.01.2015 under Sections 452, 307, 506, 120-B read with Section 34 IPC, Section 25 of Arms Act and Section 3 of SC & ST Act, registered at Police Station Bawani Khera, District Bhiwani.

Notice to Advocate General, Haryana.

Mr. Deepak Sabharwal, Addl. AG, Haryana accepts notice.

Learned counsel for the petitioner places reliance on the order dated 07.05.2015 passed by this Court in CRM-M-14135-2015 (Jitender @ Jitu Vs. State of Haryana) at Annexure P-2, whereby co-accused of the petitioner was granted the concession of bail pending trial by this Court. Learned counsel for the petitioner submits that case of the petitioner is placed on better footing than his abovesaid co-accused/Jitender @ Jitu. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Sanwar Lal, Police Station Bawani Khera, District Bhiwani,

submits that case of the petitioner is distinguishable from the case of his co-accused/Jitender @ Jitu. He further submits that the petitioner is not entitled to claim parity on the basis of abovesaid order dated 07.05.2015 passed by this Court. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties at considerable length, 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 keeping in view the peculiar fact situation of the present case, petitioner has been found entitled for bail pending trial. It is so said because despite having made his best efforts, learned counsel for the State could not distinguish the case of the present petitioner from that of his abovesaid co-accused/Jitender @ Jitu and rightly so, it being a matter of record.

In view of the above and having been found identically placed with the abovesaid co-accused/Jitender @ Jitu, petitioner is entitled for bail pending trial. In this view of the matter, present 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/Duty Magistrate, Bhiwani.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

03.06.2015
vishnu