

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

**CRM-M-23583-2015 (O&M)
Date of decision: 27.08.2015**

Kuldeep @ Lambu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. S.K.S. Bedi, Advocate
for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.198 dated 12.06.2013 under Sections 302, 397, 34 IPC and Sections 25 (54), 59 of Arms Act, registered at Police Station Sampla, District Rohtak.

Learned counsel for the petitioner places reliance on the order dated 21.02.2015 passed by this Court in CRM-M-37298-2014 (Surender @ Kala Vs. State of Haryana) (Annexure P-3), to contend that case of the present petitioner is on better footing and he is also entitled for the concession of bail pending trial. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Rajbir Singh, Police Station Sampla, District Rohtak, submits that although petitioner is prima facie seems to be similarly placed with the abovesaid Surender @ Kala but since the petitioner has been found involved in two more cases of similar nature in the State of Rajasthan as well as in the

State of Haryana, he is not entitled for bail pending trial being a professional criminal. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has been found entitled for bail pending trial. It is so said because learned counsel for the State could not distinguish the case of the present petitioner from that of his co-accused namely Surender @ Kala who has already been granted bail by this Court vide order dated 21.02.2015. Further, since the prosecution evidence is still going on, conclusion of trial will take some time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, 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.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

27.08.2015
vishnu