

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

CRM-M-24121-2015

Date of decision: 16.11.2015

Vinod Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. R.K. Sharma, Advocate
for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

Ms. Vandana Sharma, Advocate
for the complainant.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.275 dated 19.04.2015 under Sections 420, 467, 468, 471, 406, 120-B IPC, registered at Police Station Camp Palwal, District Palwal.

Learned counsel for the petitioner submits that petitioner is inside the jail for the last about five months and the trial is going on, on a very slow pace. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Mahesh Kumar, Police Station Camp Palwal as well as learned counsel for the complainant submit that since the other six co-accused of the petitioner are absconding, petitioner is not entitled for bail pending trial, at this stage. They pray for dismissal of the present petition.

Having heard the learned counsel for the parties and after going through 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 if six of his co-accused are at large, it is none of the fault of the petitioner. On the other hand, it shows the slackness of the investigating agency. Petitioner cannot be made to suffer for the delay in the trial which is being caused because of non-arrest of his co-accused. He is inside the jail for the last about five months. No good reasons are forthcoming as to why all the six co-accused of the petitioner could not be arrested so far.

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, instant 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

16.11.2015
vishnu