

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

CRM-M-26136-2015

Date of decision: 24.08.2015

Aman

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Ravinder Malik, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.388 dated 05.08.2014 under Sections 148, 149, 302, 307, 120-B IPC and Section 25 of Arms Act, registered at Police Station Civil Lines Rohtak, District Rohtak.

Learned counsel for the petitioner submits that nothing has been recovered from the petitioner. He further submits that the allegations were general in nature. No specific allegation was alleged against the petitioner. He would next contend that since the prosecution evidence has just started, conclusion of trial will take some time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Ashok Kumar, Police Station Civil Lines Rohtak, District Rohtak, submits that petitioner was armed with a danda as well as brick. However, recovery was not effected from the petitioner. 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 keeping in view the peculiar facts and circumstances of the case, petitioner has been found entitled for bail pending trial. It is so said because the case of the petitioner has been found on better footing than his two co-accused namely Harender and Yogesh, from whom recoveries have been effected and they have been granted the concession of bail by this Court, vide orders dated 02.07.2015 and 14.07.2015 passed in CRM-M-16615-2015 (Yogesh Vs. State of Haryana) and CRM-M-20761-2015 (Harender Vs. State of Haryana). Further, since the prosecution evidence has just started, conclusion of trial will also 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, 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

24.08.2015
vishnu