

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-29873 of 2015

DATE OF DECISION: 14.09.2015

Sachin and another

.....Petitioners

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspaper may be allowed to see judgment?**
- 2. To be referred to reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present:- Mr. R.A. Sheoran, Advocate
for the petitioners.

Mr. Sharad K. Yadav, DAG, Haryana.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners, namely, Sachin and Sandeep @ Nambardar in case FIR No. 69 dated 10.3.2015 registered under Sections 147/148/149/323/364/365/367 IPC at Police Station Loharu, District Bhiwani.

Learned counsel for the petitioners contends that out of total ten accused, four have been granted bail under Section 167 (2) Cr.P.C. Learned counsel further contends that the injuries are simple in nature and no offence is made out under Section 364 IPC and the same has been added just to make the offence more serious. Learned counsel also submits that even no identification parade was carried out and no recovery

of any weapon or other item has been made from the petitioners. The petitioners are in custody for the last six months and challan qua to other accused has not been presented so far and trial will take some time to conclude.

Learned counsel for the respondent-State has not disputed the custody period as well as the factum of granting bail to four accused under Section 167 (2) Cr.P.C.

In view of the submissions made by learned counsel for the petitioners and also the fact that four co-accused have already been released on bail under Section 167 (2) Cr.P.C.; the petitioners are in custody since 13.3.2015; nothing is to be recovered from them and no purpose would be served by keeping them behind the bars, the present petition is allowed. Petitioners, namely, Sachin and Sandeep @ Nambardar are directed to be released on regular bail subject to their furnishing bail/surety bonds to the satisfaction of trial Court.

September 14, 2015
pooja

(DAYA CHAUDHARY)
JUDGE