

CRM-M-30164 of 2014

Date of decision: March 20, 2015

Naraender @ Banti

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGHPresent: Mr. Aayush Gupta, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

Mr. Tara Chand Dhanwal, Advocate
for respondent No.2-complainant.**Jaspal Singh, J.(Oral)**

Instant petition has been filed under Section 439 Cr.P.C seeking regular bail to the petitioner in case bearing FIR No. 381 dated 21.07.2012 under Sections 302, 452, 120-B and 34 IPC and Sections 25, 29, 54 and 59 of Arms Act, registered at Police Station Sadar Bhiwani, District Bhiwani.

Allegation against the present petitioner is that he conspired with his co-accused, which ultimately resulted into murder of son of complainant and further that he was sitting in Bolero Jeep at the time of commission of offence. It is an undisputed fact that co-accused of the present petitioner namely Jitender @ Bittu has already been granted the concession of bail by this Court vide order dated January 15, 2015 passed in CRM No. M-24737 of 2014 where, Sukhchain and Dharminder who are also similarly situated, have also been granted the concession of pre-arrest bail. The case of the present petitioner is on different footing than that of other accused, even otherwise, petitioner was arrested in this case on November 27, 2013 and since then he is suffering incarceration. Disposal of challan pending against him would likely to take sufficient long time.

Taking into consideration above-said facts as well as without expressing any opinion on the merits of case, instant petition is allowed.

Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court.

March 20, 2015
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(JASPAL SINGH)
JUDGE