

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

Crl. Misc. No.M-31489 of 2015

Date of Decision: 23.09.2015

Kiratpal Nath

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. Prashant Bansal, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case, FIR No.12 dated 25.01.2015 registered under Section 382 IPC, which was deleted and Sections 379-B/411 IPC were added later on at Police Station Rajpura City, District Patiala.

Learned counsel for the petitioner submits that earlier the petition for regular bail was filed but the same was dismissed as withdrawn as challan was not presented at that time. He further submits that subsequently, co-accused of the petitioner, namely, Maninder Singh @ Monu and Sikander Singh have been granted bail on 23.03.2015 and 22.04.2015, respectively. Learned counsel also submits that the allegations

against the present petitioner are also identical. The petitioner is in custody since 28.01.2015.

Learned counsel for the respondent-State has not disputed the factum of releasing the co-accused on bail as well as custody period of the petitioner, which is more than 7½ months.

Accordingly, in view of the submissions made by learned counsel for the petitioner and also the fact that the petitioner was arrested on 28.01.1995 and is in custody since then; his co-accused, namely, Maninder Singh @ Monu and Sikander Singh have been released on bail, this petition is allowed and the petitioner is directed to be released on regular bail on parity qua his co-accused, on his furnishing bail/surety bonds to the satisfaction of the trial Court.

23.09.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE