

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

CRM-M-35772-2015

Date of decision: 29.10.2015

Gurdev

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Sandeep Dhull, Advocate
for the petitioner.

Mr. Kapil Aggarwal, Addl. AG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.315 dated 21.05.2015 under Sections 382, 34 IPC, registered at Police Station Sadar Karnal, District Karnal.

Learned counsel for the petitioner places reliance on an order dated 13.10.2015 (Annexure P-3) passed by this Court, whereby his co-accused namely Sunny was granted the concession of bail pending trial. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Hans Raj, Police Station Sadar Karnal, submits that since the case of present petitioner is not similar to that of his abovesaid co-accused namely Sunny, he is not entitled for bail pending trial. 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 fact situation obtaining in the present case, petitioner has been found entitled for bail pending trial. It is so said because despite having made his best efforts, learned counsel for the State could not distinguish the case of the present petitioner from that of his abovesaid co-accused namely Sunny who was granted the concession of bail by this Court vide order dated 13.10.2015 (Annexure P-3). Further, since the prosecution evidence is yet to start, 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 and the 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

29.10.2015
vishnu