

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

CRM-M-36445-2015

Date of decision: 03.11.2015

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... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Sansar Kundu, Advocate
for the petitioner.

Mr. Kapil Aggarwal, Addl. AG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.1157 dated 08.09.2012 under Sections 392, 397, 34 IPC and Sections 25, 54, 59 of Arms Act, registered at Police Station City Panipat, District Panipat.

Learned counsel for the petitioner places reliance on an order dated 09.12.2014 passed by this Court in CRM-M-33631-2014 (Rinku Vs. State of Haryana) (Annexure P-3), whereby co-accused of the petitioner was granted the concession of bail pending trial by this Court. He further submits that petitioner is similarly placed with his abovesaid co-accused namely Rinku and he is also entitled for 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 Joginder, Police Station City Panipat, submits that case of the present petition is on different footing and he is not entitled for bail pending trial. He prays for dismissal of the present petition.

After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that since case of the present petitioner has been found similar with his abovesaid co-accused namely Rinku, petitioner has also been found entitled for bail pending trial. Despite making his best efforts, learned counsel for the State could not distinguish the case of the present petitioner from that of his abovesaid co-accused Rinku.

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

03.11.2015
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