

Sr. No. 212

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-36723 of 2015
Date of Decision: 04.11.2015

Shubham

--Petitioner

Vs

State of Haryana

--Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Jarnail S. Saneta, Advocate,
for the petitioner.

Mr. M.K.Sangwan, DAG, Haryana.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 100 dated 06.03.2015 under Sections 148, 149, 323, 324, 302 and 120-B of the Indian Penal Code and Section 25 of the Arms Act, registered at Police Station Indri, District Karnal.

Learned counsel for the petitioner places reliance on an order dated 16.09.2015 passed by this Court in CRM No. M-30817 of 2015 (Anuj Vs. State of Haryana), whereby co-accused of the present petitioner was allowed concession of bail pending trial. He further submits that the petitioner is identically placed with the above said co-accused, namely, Anuj. He prays for allowing the present petition.

On the other hand, learned counsel for the State on instructions from ASI Ram Aasre, Police Station Indri, District Karnal,

submits that case of the present petitioner is not identical with his above said co-accused, namely, Anuj. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after going through the record of the case, this Court is of the considered opinion that since the petitioner was not named in the FIR and he was sought to be implicated only on the basis of disclosure statement made by his co-accused and that too before the police, petitioner has been found entitled for bail pending trial. Despite having made his best efforts, learned State counsel could not distinguish the case of the present petitioner with his above said co-accused, namely, Anuj. Further, since prosecution evidence is yet to start, conclusion of trial will take time.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, instant petition is allowed. 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

04.11.2015
vandana