

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

**Criminal Misc. No. M-39525 of 2015
Date of Decision: 30.11.2015**

Jai Pal

--Petitioner.

Vs.

State of U.T., Chandigarh

--Respondent.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Sunil Kaushik, Advocate
for the petitioner.

Mr. G.S. Chahal, APP for U.T. Chandigarh.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 289 dated 3.8.2015 under Section 306 IPC, registered at Police Station Sector 36, Chandigarh.

Learned counsel for the petitioner places reliance on the order dated 3.11.2015 passed by this Court in CRM-M-36579 of 2015 (Sunny Vs. U.T. Chandigarh) to contend that petitioner is identically placed with his abovesaid co-accused namely Sunny, who has already been granted the concession of bail pending trial by this Court. He prays for allowing the present petition.

On the other hand, learned counsel for the State submits that case of the present petitioner is distinguishable from that of his abovesaid co-accused namely Sunny. Co-accused of the petitioner namely Sunny and Anil were inside the jail whereas present petitioner was not in jail at that time. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that there is hardly any distinguishing feature in the case of present petitioner when it is compared with the case of his co-accused namely Sunny and Anil. Once co-accused of the petitioner have been found entitled for the bail pending trial at the hands of this Court, petitioner also deserves the similar relief.

In view of the above and without commenting anything on the merits of the case, at this stage, 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

30.11.2015
AK Sharma