IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. M-44180 of 2014 (O&M)
Date of Decision: 13.3.2015

Baldev Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Sandeep S. Majithia, Advocate
for the petitioner.

Mr. Ashish Yadav, A.G. Haryana.

Mr. Rahul Gautam, Advocate
for the complainant.

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RAMESHWAR SINGH MALIK J.(ORAL)

Petitioner seeks bail pending trial in FIR No. 266 dated 26.7.2011 under Sections 302/201/452/323/506/34 IPC registered at Police Station Indri, Karnal.

Learned counsel for the petitioner submits that case of the petitioner is definitely on better footing than the case of Sukhdev-co accused bearing CRM-M-41508 of 2013, which has been allowed by this Court vide a separate order passed therein. He further submits that neither petitioner was named in the FIR, nor he was made accused by the investigating agency even after conclusion of the investigation and filing of police report under Section 173 Cr.P.C. He would next contend that petitioner has been summoned vide

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order dated 28.8.2014 passed by the learned Additional Sessions Judge, Karnal, under Section 319 Cr.P.C. He concluded by submitting that petitioner will face the trial but in view of the peculiar facts and circumstances of the case, petitioner deserves concession of bail pending trial.

Per contra, learned counsel for the State as well as learned counsel for the complainant jointly submit that petitioner is not entitled for bail pending trial. They places reliance on the summoning order as well as order passed by the learned trial court rejecting the bail application of the petitioner, to contend that sufficient reasons have been assigned while rejecting the bail application of the petitioner. They pray for dismissal of the petition.

Having heard the learned counsel for the parties and without expressing any opinion on the merits of the case, lest it should prejudice the rights of the either of the parties, this Court is of the considered opinion that present petition deserves to be allowed and the petitioner is entitled for the concession of bail pending trial.

Resultantly, instant petition is allowed. Petitioner is ordered to be released on bail pending trial subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Karnal.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

13.3.2015
AK Sharma

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