

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

CRM-M-9146 of 2015

Date of Decision: 05.05.2015

Rahul

--Petitioner.

Vs.

State of Haryana

--Respondents.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

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

Mr. Ashish Yadav, Additional A.G. Haryana.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 231 dated 30.4.2012 under Sections 148/149/323/302 IPC registered at Police Station Civil Lines, Hisar.

Learned counsel for the petitioner places reliance on order dated 21.4.2015 passed by this Court in CRM-M-934 of 2015 (Jyoti Vs. State of Haryana), to contend that the petitioner is identically placed with his co-accused namely Jyoti. He prays for allowing the present petition.

On the other hand, learned counsel for the State submits that although the case of the petitioner is identically placed with his co-accused, yet he is not entitled for the concession of bail pending trial because there were direct and serious allegations against the petitioner. He prays for dismissal of the petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that keeping in view the given fact situation of the present case, particularly slow pace of the trial, petitioner has been found entitled for the concession of bail pending trial. It is so said, because FIR was registered as far back as on 30.4.2012. Charges were framed against the accused on 4.10.2012. However, only four PWs have been examined so far and 19 more PWs are yet to be examined.

Keeping in view the peculiar facts and circumstances of the case and without commenting anything further on merits, lest it should prejudice the rights of the either of the parties, present petition is allowed. Petitioner is directed to be released on bail pending trial, subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial court.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

05.05.2015
Ak Sharma