

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

CRM -M-28280 of 2016 (O&M)

Date of decision: 04.10.2016

Joginder Singh and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. Sheenu Sura, Advocate for the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Rajender Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioners have sought regular bail in FIR No. 101 dated 21.02.2016, registered under Sections 147, 436 read with Section 149 IPC and Sections 3 & 4 of PDPP Act, at Police Station Sadar Bhiwani.

It is contended that the petitioners were not arrested from the spot. They have been falsely implicated in the instant case on the basis of disclosure statement made in FIR No. 103 dated 21.02.2016, wherein the petitioners have already been admitted to bail. She further states that the State is selectively picking up the persons and not arresting the accused named in the FIR. The petitioners are in custody since 24.02.2016.

On the other hand, the learned State counsel opposes the prayer of bail.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the challan stands presented; he is in custody since 24.02.2016; out of total 15 PWs, only 05 PWs have been examined so far, therefore, it can be safely inferred that the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioners be admitted to bail during the pendency of trial, on their furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

04.10.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No