

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-29335 of 2016

Date of decision : October 21, 2016

Mohit @ Banti and anr.

....Petitioners

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Rakesh Dhiman, Advocate, for the petitioners
Mr. Munish Sharma, AAG, Haryana, for the respondent

Fateh Deep Singh, J. (Oral)

Learned counsel for the petitioners has made statement withdrawing regular bail qua petitioner no. 1-Mohit @ Banti, the principal accused, at this stage.

Dismissed as withdrawn qua petitioner no. 1 at this stage.

The allegations against petitioner no. 2-Rajesh in this regular bail application are that he along with his co-accused non-applicant on 28.1.2016 had assaulted Vinod and Satish.

The contentions of the counsel for the petitioners are that petitioner no. 2 is in custody since 1.2.2016 and that the similarly placed co-accused Shri Bhagwan @ Boda has been allowed bail by this Court vide order dated 22.9.2016 and that only simple injury is attributed to petitioner

no. 2 on non-vital part. The factual scenario is not controverted by the learned State counsel.

Keeping in view the substantive period of incarceration and the fact that the trial is not likely to be concluded in near future and in view of principle of parity, without adverting to the merits of the case, the instant application is allowed qua petitioner no. 2-Rajesh. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Jhajjar.

The present petition stands disposed off accordingly.

October 21, 2016
'tiwana'

(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No