

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

CRM No. M-35496 of 2016

Date of decision:- October 07, 2016

BIDHI CHAND AND ANOTHER

...PETITIONERS..

VS.

STATE OF HARYANA

...RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Karan Singh, Advocate,
for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Arvind Singh, Advocate,
for the complainant.

JASPAL SINGH, J. (Oral)

By virtue of instant petition preferred under Section 439 of the Code of Criminal Procedure, petitioners- Bidhi Chand and another have sought bail during the pendency of trial, in case bearing FIR No.152, dated 27.06.2016, under Sections 148, 149, 186, 308, 323, 332 and 353 IPC, Police Station Naraingarh, District Ambala.

2. Instant case stands registered against the petitioners and some other persons on the allegations that they committed rioting while armed with deadly weapons and created obstruction in the discharge of official duties of the public servant besides causing injuries to them.

3. Concededly, co-accused of the petitioners Rakam Singh and

others (7 in numbers) have already been granted the concession of bail by the Court of Additional Sessions Judge, Ambala vide order dated 06.10.2016. The case of the petitioners is not on different footings than that of aforesaid persons as the similar allegations are there. The petitioners in this case were arrested by the police on 18.08.2016 and after subjecting them to custodial interrogation, they were sent to judicial custody. The investigation is in progress and report under Section 173 (2) Cr.P.C. has not been presented so far. The presentation of report as well as disposal thereof, would take sufficient long time.

4. Taking into consideration the nature of offence complained of and the fact that the co-accused have already been granted the concession of bail, this Court is of the considered view that case is made out for grant of bail to the petitioners. Accordingly, petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial Court/Duty Magistrate, Naraingarh (Ambala).

October 07, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes

Whether reasonable: No