

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

CRM No. M-37700 of 2016

Date of decision:- November 16, 2016

ARJUDEEN AND ANOTHER

....PETITIONERS..

VS.

STATE OF HARYANA

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Balraj Gujjar, Advocate,
for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

JASPAL SINGH, J. (Oral)

By virtue of instant petition preferred under Section 439 of the Code of Criminal Procedure (for brevity, "Code" only), the petitioners have sought concession of bail during the pendency of trial, in case FIR No.125, dated 19.04.2016, under Sections 395, 365 and 412 IPC, Police Station Dharuhera, District Rewari.

2. Concededly, petitioner No.1 and petitioner No.2 were arrested in this case on 16.05.2016, 15.05.2016, respectively, and since then, they are cooling their heels behind the bars. On conclusion of investigation, report under Section 173 (2) of the Code has already been presented and now, the trial is listed for prosecution evidence. The disposal of the trial would take sufficient long time. Moreover, co-accused of the petitioner namely Amir Khan, Irfan @ Chetta, Mohd. Juber and Sunder Singh have already been granted the concession of bail by this Court vide separate

orders. The case of the petitioners is not on different footings than that of above stated persons, who have already been granted the concession of bail.

On the doctrine of parity, the petitioners also deserve concession of bail.

3. Taking into consideration the aforesaid aspects but without expressing any opinion on the merits of the case, the petition is allowed and petitioners are ordered to be released on bail, during pendency of trial, at the satisfaction of trial Court/Duty Magistrate.

November 16, 2016
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reasonable: Yes/No