

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

CRM No. M-41487 of 2016

DECIDED ON: DECEMBER 14, 2016

PAWAN

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE JUSTICE JASPAL SINGH

Present: Mr. Rakesh Kumar Dhiman, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 439 Cr.P.C., petitioner has sought bail in case bearing FIR No. 34, dated 15.04.2016, under Sections 399 and 402 IPC, registered at Police Station GRP Hisar, District Ambala Cantt.

Allegations against the petitioner are that he accompanied by six other persons was present at Railway Station Jakhal at about 10.00 PM on 14.04.2016, while planning to commit dacoity. In pursuance of secret information, a raid was conducted by the police party headed by ASI Charan Singh and all the seven persons including the petitioner were arrested at the spot. A recovery of iron rod is alleged to have been recovered from the petitioner at the time of his arrest. No other incriminating article was recovered

from him.

Here, it would also be pertinent to mention that the co-accused of the petitioner namely Krishan and Rajesh, who are similarly situated, have already been granted the concession of bail by this Court vide orders dated July 27, 2016 and October 07, 2016 respectively, passed in CRM No. M-24496 of 2016 and CRM No. M-35501 of 2016. Not only this, even on completion of investigation report under Section 173(2) Cr.P.C. has already been presented, disposal of which is likely to take considerable time.

Taking in to consideration the afore-said aspects as well as keeping in view the doctrine of parity, this Court is of the considered view that a case is made out to grant the concession of bail to the petitioner.

Accordingly, instant petition is allowed and petitioner is ordered to be released on bail, during the pendency of trial, at the satisfaction of learned trial Court/Duty Magistrate.

DECEMBER 14, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*