

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

(219-A)

CRM-M-8275-2016

Decided on: April 22, 2016.

Rohtash @ Boora

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. R.S. Dhull, Advocate, for the petitioner.

Mr. C.S. Bakshi, Addl. A.G., Haryana.

M.M.S. BEDI, J (ORAL)

Co-accused of the petitioner, Sandeep @ Sonu, has been granted concession of bail vide a separate order passed today.

Application of the petitioner for grant of bail has been opposed by the State inter alia on the ground that the petitioner is involved in five other cases of dacoity.

Learned counsel for the petitioner informs that the petitioner is on bail in all other cases and that he has been falsely implicated in all those cases by the police.

Without entering into the controversy whether the petitioner is a habitual offender or he is frequently being made an accused in different cases by the police, he can be granted concession of bail in this case as the material witnesses have already been examined. The identity of the petitioner, as per the statement of the material witnesses, will certainly be a debatable issue.

On the principle of parity, the petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that he will not indulge in any other similar activity of which he is accused of, during pendency of the trial. In case petitioner indulges in similar activity, it will be open to the prosecution agency to seek cancellation of bail.

(M.M.S. BEDI)
JUDGE

April 22, 2016
harsha