

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-10339-2017

Date of decision : 05.05.2017

Pawan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Ruhani Chadha, Advocate
for the petitioner.

Mr. Sulinder Kumar AAG, Haryana.

AMOL RATTAN SINGH, J.(ORAL)

For the third time succession, learned State counsel, on instructions, submits that the charge has still not been framed, even though this matter had been adjourned by this Court twice earlier, on 05.04.2017 and 20.04.2017. Though not recorded in the said order, the reason for adjournment was because of the fact that the charge had still not been framed. This was despite the fact that learned counsel for the petitioner had argued that a similarly placed co-accused, Babita @ Babli, has already been admitted to bail vide an order of this Court dated 27.01.2017, passed in CRM-M-39492-2016. A perusal of the said order (Annexure P2), shows that the petitioner therein was shown to be not named in the FIR and eventually in the statement of a co-accused she was stated to have been named as a conspirator, to the extent that she had informed (as per the allegation) that there was certain amount of money / jewellery lying in the house of the complainant.

Learned State counsel does not deny that the petitioner is also not named in the FIR, which of course is borne out from a reading of the FIR itself. He further submits that the petitioner is also stated to be one of the conspirators, as was Babli.

Without making any comment upon the actual merits of the case for or against the petitioner, which would be gone into by the trial Court, in view of the aforesaid circumstances, I consider appropriate to admit the petitioner to bail, upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

(AMOL RATTAN SINGH)
JUDGE

May 05, 2017.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No