

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-2327 of 2017

Date of Decision: 31.1.2017

Bhanu Partap

---Petitioner

versus

State of Haryana

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Vikram Punia, Advocate
for the petitioner**

Rekha Mittal, J.

The petitioner prays for grant of regular bail in FIR No. 118 dated 30.3.2016 registered with police station, Murthal, District Sonapat for offence under Sections 148, 149, 324, 341, 354, 395, 188, 427, 435 of the Indian Penal Code (in short "IPC") and 8B of the National Highway Act (Sections 365 and 376D IPC deleted subsequently).

Notice of motion.

Mr. Vikas Malik, DAG, Haryana accepts notice on behalf of the respondent-State.

Counsel for the petitioner has submitted that the petitioner is in custody since 18.4.2016. On completion of investigation, challan has been presented in the Court and conclusion of trial is likely to take its own time. The petitioner has been exonerated of the offence punishable under Sections 365 and 376D IPC on the basis of report qua DNA analysis. It is further argued that similarly placed co-accused in the case namely Jai Deep son of

Jai Narain, Jitender @ Kalu and Vinay have already been released on bail by this Court.

Counsel for the State has not disputed the factual assertions but opposed the plea for bail.

Taking into consideration the principle of parity coupled with the factum that conclusion of trial is likely to take its own time and there is no allegation against the petitioner that he is likely to flee from the process of justice, in case enlarged on bail, without commenting upon merits of the case, lest it may cause prejudice to either of the parties during trial, the petitioner is ordered to be released on bail subject to satisfaction of the trial court. However, he shall abide by the following conditions:-

- i) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- ii) He shall not leave the limits of this country without prior permission of the Court.

Petition stands disposed of accordingly.

(Rekha Mittal)
Judge

31.1.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No