

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

Crl. Misc. No. M-313 of 2017

DATE OF DECISION : 30.03.2017

Jaan Mohammad

.... PETITIONER

Versus

State of Haryana

.... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present : Mr. Johan Kumar, Advocate,
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

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AMOL RATTAN SINGH, J. (Oral)

Learned counsel for the petitioner submits that the petitioner is identically placed as his co-accused Sagoon and Shankar, with all of them allegedly having been apprehended at the spot upon “secret information” having been received by the police of Police Station Ballabgarh.

He submits that the aforesaid two accused have already been admitted to bail by the trial Court itself and the only reason for that court to decline bail to the petitioner was because he is shown to be involved in other criminal cases in respect of offences punishable under Section 379 IPC.

The affidavit of the Assistant Commissioner of Police,

Tigaon, District Faridabad, also lists the number of cases i.e. five, registered against the petitioner, all punishable under Section 379 IPC.

Even if there are other cases registered against the petitioner, in the present FIR at least, the petitioner being absolutely identically placed as those who have already been admitted to bail by the trial Court, I see no reason to deny the concession of bail to the petitioner, especially as he and his co-accused were all stated to be apprehended on 'secret information' received.

Accordingly, the petition is allowed. The petitioner shall be admitted to bail, upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court.

March 30, 2017
ndj

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No