

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

205

CRM-M No.1819 of 2018
Date of Decision: January 29th, 2018

Vivek

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sandeep Kumar, Advocate
for Mr. Vikram Singh, Advocate
for the petitioner.

Mr. Apoorv Garg, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing the present petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.740 dated 20.07.2016, registered at Police Station City Karnal, under Sections 302, 324, 148, 149 of the Indian Penal Code and Sections 25, 54, 59 of Arms Act.

It is the contention of learned counsel for the petitioner that the petitioner is not named in the FIR, however, in the supplementary statement of the complainant, the role attributed to the petitioner is that he had caught hold of deceased-Vijay along with his co-accused Vikas, which facilitated co-accused Sumit to give stab blows resulting in the death.

Counsel for the petitioner contends that the co-accused of the petitioner Vikas has already been granted the concession of regular bail by this Court on 11.01.2018 (Annexure P-1) in CRM No.M-45266 of 2017. He contends that the petitioner is similarly placed and there has been no change as far as the trial before the Court below is concerned as out of 17 witnesses, 4 witnesses have been examined.

Police Station City, Karnal, could not dispute the assertion of the counsel for the petitioner.

In view of the above, keeping in view the fact that the co-accused of the petitioner, who is similarly situated with the same allegations, namely Vikas, stands already granted the concession of regular bail and the petitioner is in custody since 30.07.2016 with the trial not likely to conclude at an early date, the present petition is allowed.

Petitioner is directed to be released on bail on furnishing personal and surety bonds to the satisfaction of the trial Court, Karnal.

January 29th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No