

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

CRM No.M-18993 of 2018
DATE OF DECISION:10.05.2018

Amroo

...Petitioner

Vs.

State of U. T. Chandigarh

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Gulshan Mehta, Advocate
for the petitioner.

Mr. Gautam Dutt, Advocate
for UT Chandigarh.

DAYA CHAUDHARY, J.(ORAL)

Through the present petition filed under Section 439 Cr. P.C., the petitioner seeks regular bail in case FIR No.168, dated 25.09.2014, registered under Section 379 IPC at Police Station Sector-3, Chandigarh (U.T.).

Learned counsel for the petitioner submits that the petitioner was earlier granted regular bail by the trial Court vide order dated 14.10.2014 and he furnished requisite bail bonds to the satisfaction of the trial Court. Thereafter, petitioner was appearing regularly but thereafter he could not appear on 21.03.2016 and on subsequent dates. Learned counsel also submits that co-accused of the petitioner has been acquitted by the trial Court. The petitioner is ready to abide by all terms and conditions to be imposed by this Court or by the trial Court. He also undertakes to appear before the trial Court on each and every date of hearing. Petitioner

was arrested on 02.02.2018 and was produced before the trial Court on 03.02.2018 and since then he is in custody. Learned counsel also submits that no purpose would be served by keeping him in custody in such circumstances when co-accused have already been acquitted.

Learned counsel appearing for State of UT has opposed the submission made by learned counsel for the petitioner but does not dispute regarding acquittal of accused.

Heard arguments of learned counsel for the petitioner and have also perused the documents available on the file. Admittedly, co-accused of the petitioner has been acquitted of the charge. The allegations against the present petitioner and the co-accused are the same. The petitioner is in custody since 02.02.2018. It cannot be said that allegations levelled against the petitioner and co-accused are different. Moreover, petitioner has undertaken to appear before the trial Court on each and every date. The present petition is allowed. The petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

10.05.2018
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(DAYA CHAUDHARY)
JUDGE

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