

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

CRM-M-20452 of 2018
Date of Decision:22.05.2018

RakeshPetitioner

Versus

State of HaryanaRespondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Inderjeet Singh, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case First Information Report No. 220 dated 07.11.2017, under Sections 406 and 420 of the Indian Penal Code registered at Police Station Chhappar, District Yamuna Nagar.

It is contended by learned counsel for the petitioner that the FIR in the present case was registered after a period of three months from the date of occurrence. He further contended that the petitioner is in custody since 15.03.2018 and the co-accused namely Sanjay granted the concession of regular bail vide order dated 08.05.2018 in CRM-M-18557 of 2018. It is also contended that challan has already been filed and charges are yet to be framed. The allegation against the petitioner is similar to that of his co-accused-Sanjay and thus, treating the case of the petitioner on the same footing, he be released on bail.

Learned State counsel has filed the custody certificate of the petitioner in the Court and opposed the bail on the ground that there is one more case pending against the petitioner.

Heard learned counsel for the parties and perused the paper book.

Keeping in view the fact that co-accused of the petitioner, namely, Sanjay, whose role is similar to the petitioner and he has already been granted the concession of regular bail by this Court, the petitioner also deserves the concession of regular bail. Even the charges are yet to be framed. The trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioner behind the bars any more.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Rakesh be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

May 22, 2018
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no