

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

CRM-M No.50028 of 2018

Date of decision : 27.11.2018

Rajender

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Manish Soni, Advocate for the petitioner.

Mr. Vijesh Sharma, DAG, Haryana.

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DAYA CHAUDHARY, J. (Oral)

Petitioner Rajender has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to him in case FIR No.737 dated 10.11.2017 under Sections 186/332/353/365/506/379B read with Section 34 Indian Penal Code (for short the 'IPC') and Section 3 of PPD Act, 1984 (added later on), registered at Police Station City Bhiwani, Distt. Bhiwani, during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas his name was not mentioned in the FIR. He was neither driver of the truck nor cleaner and no role has been attributed to him. Learned counsel for the petitioner also submits that co-accused namely Manohar Singh and Ram Bihari have been released on regular bail vide orders dated 09.10.2018 and 01.11.2018 passed in CRM-

M No.14817 of 2018 and CRM-M No.47220 of 2018 respectively. The petitioner is in custody since 18.11.2017 and out of total 19 prosecution witnesses 10 witnesses have been examined.

Learned State counsel has not disputed the custody period as well as grant of bail to two co-accused but opposes grant of bail to the petitioner.

Heard arguments of learned counsel for the parties and have perused the contents of the FIR and other documents available on the file.

By considering the submissions made by learned counsel for the petitioner and the custody period undergone by the petitioner; the fact that co-accused namely Manohar Singh and Ram Bihari have been released on regular bail as well as on the basis of parity petitioner also deserves to be released on regular bail, accordingly, the present petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

27.11.2018

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**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No