

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

CRM-M No. 155 of 2019 (O&M)

Date of decision : 21.02.2019

Nishant

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. R.A. Sheoran, Advocate for the applicant/petitioner.

Mr. Rajesh K. Sheoran, Addl. A. G., Haryana.

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DAYA CHAUDHARY, J. (Oral)

CRM No.5449 of 2019

This application has been filed for preponing the date of hearing in the main case on the ground that co-accused have been released on anticipatory bail as well as regular bail.

Notice in the application.

On asking of the Court, Mr. Rajesh K. Sheoran, Addl. A. G., Haryana accepts notice in the application.

Having no objection from the other side, the application is allowed and the main case is preponed for today for hearing.

CRM-M No. 155 of 2019

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.650 dated 02.10.2018 under Sections 147, 149, 323, 341, 342, 365 and 506 of the Indian Penal Code, 1860 (Section 367 IPC 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 is at par with co-accused Rajnesh Kumar, who has filed CRM-M No.55837 of 2018 and has been released on interim bail vide order dated 18.12.2018 and now the same is pending for 08.04.2019. Learned counsel also submits that co-accused Harish has also filed CRM-M No.1704 of 2019 and he has also been released on interim bail, which has been made absolute vide order dated 20.02.2019. Other co-accused namely Jasvinder alias Jassu has also been released on regular bail.

Learned State counsel has not disputed the factum of parity with co-accused who have been released on regular bail or anticipatory bail.

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

By considering the parity with co-accused Rajnesh Kumar, Harish and Jasvinder alias Jassu, who have been released on anticipatory/regular bail and also the fact that petitioner is in custody since 02.10.2018; his name is not mentioned in the FIR and no recovery is to be effected from him, no purpose would be served by keeping him in custody. Accordingly, present petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing adequate bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

21.02.2019

sunil yadav

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

**(DAYA CHAUDHARY)
JUDGE**