

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

227

**CRM-M-5132-2019
DATE OF DECISION: 04.07.2019**

PAWAN @ HAPPY

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Dinesh Saini, Advocate for the petitioner(s).

Mr. R.K. Doon, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.216, dated 23.08.2017, under Sections 307, 399 & 402 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Uklana, District Hisar.

Learned counsel for the petitioner contends that the allegations in the FIR, which is registered on the basis of secret information, are that 5 unknown boys were sitting near the tomb situated at right side of Uklana road and were planning to commit robbery on petrol pump. However, no overt act is attributed to the petitioner and he along with others was stated to have been apprehended by the police party. He also contends that similarly situated co-accused namely Krishan @ Padma has been granted regular bail by the coordinate Bench of this Court in CRM-M-1042-2018 on 14.03.2018. The petitioner is in custody since 23.08.2017.

Learned State counsel, upon instructions from ASI Vinod Kumar, states that 3 out of 16 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is in custody for almost 2 years, the similarly situated co-accused has been granted regular bail and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

04.07.2019

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No