

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

CRM-M No.46719 of 2018

Date of Decision: 08.01.2019

Sandeep @ Kala

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Atul Prataap Dhankhar, Advocate
for the petitioner.

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

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to petitioner, namely, Sandeep @ Kala in case FIR No.527 dated 30.11.2015 registered under Sections 307, 120-B/34 IPC and Section 25 of the Arms Act at Police Station Kharkhoda, District Sonapat.

Learned counsel for the petitioner submits that the petitioner is in custody for the last more than three years and his co-accused, namely, Pawan @ Pona @ Mona has been released on regular bail vide order dated 30.07.2018.

Learned State counsel has not disputed the custody period as well as release of co-accused on regular bail but opposes grant of bail to the petitioner on the ground that the statement under Section 313 Cr.P.C has been recorded and the trial is at the fag end.

Heard arguments of learned counsel for the parties and have also perused the documents available on the file including the FIR as well as order passed in the case of co-accused.

Without saying anything on the merits of the case and keeping

in view the custody of the petitioner which is more than three years; the fact that co-accused of the petitioner has been released on regular bail; after release of petitioner on bail, he will get an opportunity to pursue his case and also in recording the statements of Dws; moreover, it has also been brought to the notice of this Court that the Presiding Officer of the case has been transferred and now the case is to be heard by another Presiding Officer and still some time may be taken, the present petition is allowed and petitioner, namely, Sandeep @ Kala is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

08.01.2019
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No