

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

238

CRM-M-36350-2019.

Date of Decision: 05.09.2019.

Pardeep

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Manvender S. Chauhan, Advocate for the petitioner.

Mr. Ashok Muthreja Deputy Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner—Pardeep son of Rajender in case F.I.R. No.55 dated 28.02.2019 under Section 364-A of the Indian Penal Code (Sections 323, 325, 342, 34 IPC added lateron), registered at Police Station Kalanaur, District Rohtak.

Learned counsel the representing petitioner contended that the petitioner is in custody since 28.02.2019 and co-accused Mahender has already been granted bail on 01.05.2019. The trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel opposed the prayer for bail on the ground that the main allegations are against the present petitioner and not against co-accused Mahender, so the present petitioner does not deserve the concession of bail.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration and the fact the petitioner is in custody since 28.02.2019, co-accused Mahender has already been released on bail; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Pardeep, is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

05.09.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No