

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

CRM-M-27418 of 2020.

Decided on:- September 18, 2020.

Pankaj.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Vikram Singh, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

This is the second petition filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in FIR No.723 dated 11.10.2018 under Sections 201, 302, 342 and 376-D read with Section 34 IPC registered at Police Station Gharaunda, District Karnal.

The earlier petition i.e. ***CRM-M-40618 of 2019*** titled as ***Pankaj Versus State of Haryana*** filed by petitioner for the same relief was dismissed as withdrawn vide order dated 15.01.2020 passed by this Court.

Learned counsel for the petitioner submits that the petitioner is in custody since 18.10.2018. He relies upon the order dated 31.08.2020 passed by this Court in ***CRM-M-24987 of 2020*** titled as ***Kamal Versus State of***

Haryana, whereby in the similar set of allegations, co-accused Kamal was admitted on bail.

Learned State counsel does not dispute the custody of petitioner and the fact that the case of petitioner is similar to that of co-accused Kamal.

I have heard learned counsel for the parties.

The petitioner is in custody since 18.10.2018 and there is no dispute regarding similarity of the case of petitioner with co-accused Kamal, who has already been granted bail by this Court vide order dated 31.08.2020 passed in *CRM-M-24987 of 2020*. Therefore, this Court finds that the petitioner deserves to be admitted on bail during pendency of the trial.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

September 18, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No