

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

CRM-M No.51548 of 2019

Date of decision : 15.07.2020

Amit

... Petitioner

Vs.

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Amardeep Hooda, Advocate, for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

This is a petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.202 dated 04.07.2019 under Sections 186, 307, 353, 34 IPC and Section 25 of Arms Act, 1959 registered at Police Station Lakhan Majra, District Rohtak.

Learned counsel for the petitioner would contend that no injuries have been attributed to the petitioner or the co-accused. He further contends that the co-accused has been attributed the role of having fired a gun-shot. However, there is no such allegation against the petitioner in the present case. He further contends that co-accused Ravinder @ Bholu has been granted regular bail by this Court vide order dated 19.05.2020 in Crl. Misc.M – 54496 of 2019.

Learned State counsel has contended that there are five more cases pending against the present petitioner. In three of the said cases he has been acquitted and the remaining are pending.

CRM-M No.51548 of 2019

-2-

Learned counsel for the petitioner has relied upon **Prabhakar Tiwari Vs. State of U.P and Anr. 2020 SCC online 75**, wherein it has been held by the Hon'ble Apex Court that criminal cases pending against the accused cannot be made the basis for the grant/refusal of regular bail.

Heard learned counsel for the parties.

Keeping in view the fact that the trial is likely to take a considerable time to conclude and in view of the fact that co-accused has already been granted bail by this Court, the petitioner is directed to be released on bail during the pendency of the trial subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate, Rohtak.

It would, however, be open to the prosecution to the get bail cancelled in case the petitioner is found to be misusing the concession of bail.

Disposed of accordingly.

July 15, 2020
tripti

(ALKA SARIN)
JUDGE

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**