

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10002 of 2014

Decided on: February 18, 2015.

Mahender @ Pehalwan

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. K.P. Singh, Advocate,
for the petitioner.

Mr. Anil Kumar Yadav, Addl. A.G., Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner seeks concession of regular bail in a case registered at the instance of Kishan alleging that he had purchased three and half acres of land from Leelu Ram but the possession remained with the complainant. Ramdhari made an attempt to get the land vacated from the complainant. As such on 27.04.2013, the complainant, his brother Sher Singh and nephew Subhash were attacked by 15-20 people armed with guns and pistols. An attempt was made to stop Subhash from ploughing the field with the help of the tractor. All the accused allegedly fired at him with intention to kill him. A gun shot hit on the arm of Sher Singh whereas Subhash also received gun shot injury.

The petitioner has been involved in the case on the basis of disclosure statement of his co-accused. He is also not named in the FIR though he was known to the complainant.

Without expression of any opinion, it is sufficient to observe that petitioner has been in custody w.e.f. 30.04.2013. Complainant Kishan has expired whereas injured Sher Singh has already been examined. It is a case of no grievous injury.

Taking into consideration the period of detention suffered by the petitioner as well as the rivalry between the parties, the petitioner can be granted the concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to a condition that petitioner will not commit any similar offence during the pendency of the petition.

(M.M.S. BEDI)
JUDGE

February 18, 2015
harsha