

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

CRM-M-10868 of 2014 (O&M)

Date of decision: April 07, 2015

Budh Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.S. Sandhu, Advocate,
Mr. P.K. Ganga, Advocate &
Mr. Vishal Sharma, Advocate for
Mr. J.S. Chahal, Advocate for the petitioners.

Mr. Vikas Malik, Dy. Advocate General, Haryana.

Rajan Gupta, J. (oral)

This order shall dispose of three Crl. Misc. Petitions bearing Nos.CRM-M-10868 of 2014, CRM-M-42091 of 2014 and CRM-M-43531 of 2014, filed by petitioners Budh Ram, Lulu and Dalbir Singh respectively, under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioners under Sections 302, 452, 148, 149, 506 and 216 IPC at Police Station Nathusari Chopta, District Sirsa, vide FIR No.12 dated 15.2.2013.

Learned counsel for the petitioners have submitted that petitioners are entitled to be released on bail on parity with accused Jarnail Singh @ Jaila and Ved Parkash @ Coach, who have been granted bail by a coordinate bench of this court. It has been further averred that some of the accused have been referred no role. Main injury is not

attributed to them. Thus, they deserve to be enlarged on bail.

Learned State counsel has opposed the plea. According to him, petitioners formed an unlawful assembly and collectively attacked Kirpal Singh. In view of several injuries received by the deceased, he succumbed to them.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged on the complaint of one Parmod Kumar. He alleged that on 11.2.2013 in the evening, his father Kirpal Singh was sitting in the drawing room. At about 10.30 P.M., two vehicles came, from which 17/18 persons alighted. They dragged his father out of the house and started hitting him with various weapons. Parmod Kumar later appeared in the witness-box as PW1 and assigned specific role to the petitioners. According to him, while Dalbir and Lilu Ram gave Kappa blows on the leg of his father, other accused caused injuries with sticks (*Dandas*). Budh Ram is stated to have been armed with a *Danda*.

In view of the nature of crime, punishment it would entail in case of conviction, I am of the considered view that no case for grant of bail to the accused/petitioners is made out. There can be no parity with other accused, who have been granted bail, as their names did not figure in the FIR. All the three applications are hereby dismissed.

(RAJAN GUPTA)
JUDGE

April 07, 2015
'Rajpal'