

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-11173 of 2014

Date of Decision: January 29, 2015

Pardeep

.....Petitioner

Vs.

State of Haryana

.....Respondent

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

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Present:- Mr.R.S. Rai, Sr. Advocate with
Mr.Abhinav Sood, Advocate
for the petitioner.

Mr. M.S. Sidhu, Addl.A.G., Haryana.

Mr. Sumeet Sheokand, Advocate.

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

Petitioner seeks the concession of regular bail in a case registered at the instance of Dilbagh Singh alleging that petitioner alongwith three other persons, namely, Neetu, Ajay and Parvesh had assaulted his son resulting in his death. Petitioner was allegedly arrested on the disclosure statement of his co-accused and got recovered a pistol. The main allegations are against co-accused of the petitioner Neetu who allegedly fired at the

deceased by the pistol of the petitioner. Neetu has been granted concession of bail by a Coordinate Bench of this Court. The father of the deceased i.e. the complainant Dilbagh Singh has already been examined.

Counsel for the complainant has opposed the petition on the ground that the co-accused Sunil being juvenile had been granted bail whereas no recovery has been effected from Neetu but so far as petitioner is concerned he is involved in the case on the basis of the recovery of the fire arm. It has been submitted that the petitioner is involved in another case under Section 302 IPC in which he is in custody.

I have considered the facts and circumstances of this case. Without expression of any opinion regarding the involvement of the petitioner in other cases, taking into consideration the facts of the present case where the complainant eye-witness has already been examined, there being a debatable question regarding complicity of the petitioner to be determined at the time of the final decision; chances of tamper with the evidence being remote; co-accused of the petitioner having been granted the concession of bail; on the principle of parity the petitioner can also be granted the same relief. The 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.

January 29, 2015
sanjay

(M.M.S.BEDI)
JUDGE