

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-1271 of 2015
Date of Decision: - 27.01.2015

Sushil

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

**Present: Mr. Sandeep Thakan, Advocate,
for the petitioner.**

**Mr. Naveen Sheoran, D.A.G., Haryana
for the State.**

MEHINDER SINGH SULLAR, J.(oral)

The petitioner has preferred the instant petition for the grant of concession of regular bail, in a case registered against him along with his other co-accused Naveen and others, vide FIR No.208 dated 29.08.2014, on accusation of having committed the offences punishable under Sections 147, 148, 323, 365, 511, 506 IPC and Section 25 of The Arms Act, by the police of Police Station Loharu, District Bhiwani.

2. Notice of the petition was issued to the State.
3. Having heard the learned counsel for the parties, having gone through the record, with their valuable assistance and after bestowal of thoughts over the entire matter, to my mind,, the present petition for regular bail deserves to be accepted in this context.

4. Concisely, the prosecution, *inter alia*, claimed that on 29.08.2014, the petitioner and his other co-accused tried to kidnap complainant-Balbir son of Dariya Singh and caused injuries to Ramesh son of Jaipal. Neither the name of the petitioner is mentioned nor any specific role or particular injury is attributed to him in the FIR. At the most, it is a case of attempt to kidnap the complainant.

5. Moreover, the petitioner was arrested in this case on 20.10.2014. Since then he is in judicial custody and no useful purpose would be served to further detain him in jail. There is no history of his previous involvement in any other criminal case. Since, not even a single witness has yet been examined by the prosecution, so, the conclusion of trial will naturally take a long time.

6. Not only that, Naveen, similarly situated co-accused of the petitioner, was granted the benefit of regular bail, by means of order dated 12.12.2014 (Annexure P-3) rendered in CRM No.M-41687 of 2014, by this Court. Therefore, I see no reason not to extend the same benefit of regular bail to the present petitioner under the similar set of circumstances as well.

7. In the light of aforesaid reasons, taking into consideration the totality of facts and circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial, the instant petition for regular bail is hereby accepted. The petitioner is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits in the trial of the main case, as the same has been so recorded for a limited purpose of deciding the present petition for regular bail only.

January 27, 2015
naresh.k

(MEHINDER SINGH SULLAR)
JUDGE