

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-20084 of 2015

Date of Decision: September 9, 2015

Sukhdev Singh

.....Petitioner

Vs.

State of Haryana

.....Respondent

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

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Present:- Ms. Puja Chopra, Advocate
for the petitioner.

Mr. C.S. Bakshi, Addl.A.G., Haryana.

Mr. Dilpreet Singh, Advocate.

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

Sukhdev Singh has filed this petition for grant of regular bail in a case registered at the instance of Binder Kaur alleging that on November 23, 2012 she was going with her husband Richpal Singh on motorcycle from Mamera Road Gurudwara to her house. When they reached in front of bus stand, Nishan Singh son of Sohan Singh, Nishan Singh son of Mohinder Singh and Hira Singh, came in front and stopped the motor cycle. They took Richpal Singh inside Nohra. Nishan Singh inflicted kick blow on the

stomach of Richpal Singh, Hira Singh inflicted blow of lathi at the right leg, Nishan Singh inflicted injury at the rib of her husband. Richpal Singh was inflicted injury while he had fallen down by other assailants. Sulakhan Singh and Kuldeep Kaur rescued Richpal Singh.

So far as petitioner is concerned, he had allegedly threatened that if Richpal Singh dared to raise the matter of land dispute, he would kill him. Ranjit Singh, son of the complainant took his father to General Hospital, Ellenabad from where he was referred to General Hospital, Sirsa. He was also taken to Sarvodaya Hospital, Hissar. As he was unfit to make statement, the complainant got her statement recorded. Richpal Singh succumbed to his injuries on December 31, 2012 as such offence under Section 302 IPC was added. The petitioner has not been attributed any specific injury on the person of the deceased. He had allegedly arrived on the spot and had threatened the deceased.

Learned counsel for the petitioner submits that the co-accused of the petitioner who had been attributed injuries on the ribs of the deceased, have been granted the concession of bail. She has referred to the order passed in case of Nishan Singh son of Sohan Singh and other Nishan Singh who have been granted concession of bail by the Sessions Judge and High Court, respectively.

I have heard learned counsel for the petitioner and carefully gone through the orders passed qua the co-accused of the petitioner. The case of the petitioner appears to be on better footing than that of his co-

accused who have been granted the concession of bail. The trial Court has declined the concession of bail to the petitioner solely on the ground that he remained a proclaimed offender for a long duration. Taking into consideration the period of detention suffered by the petitioner and the nature of the attribution to the petitioner, he 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.

September 9, 2015
sanjay

(M.M.S.BEDI)
JUDGE