

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

CRM-M No.22265 of 2015

Date of Decision: 13.08.2015

Sumit Nain and another

..... Petitioners

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Arshdeep Singh Cheema, Advocate for the petitioners.

Mr. Kuldip Tiwari, Additional Advocate General, Haryana
for the respondent.

Mr. Vikas Pahwa, Senior Advocate assisted by
Mr. Harsh Aggarwal, Advocate;
Mr. Abhishekh Dhingra and
Ms. Astha Sharma, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail on behalf of abovementioned two petitioners in case FIR No.184 dated 18.07.2012, under Sections 147, 148, 149, 452, 302, 307, 436, 323, 332, 353, 427, 114 of IPC, registered with Police Station Manesar, District Gurgaon.

The present FIR relates to the violent incident which erupted in the Manesar Plant, Maruti Suzuki India Ltd. Gurgaon, wherein a mob of workers killed and injured many managerial staff of the Company.

Learned Counsel for the petitioners submits that many workers, who were attributed injuries on the persons of the managerial staff of the Company have been granted bail and, therefore, seeks parity of treatment. He further states that in

the evidence of the prosecution, Amit Nain/petitioner No.2 has only been identified as talking with 10 to 12 workers on the entry of the main Office on the ground floor and as such, there is no role which has surfaced in the evidence.

Learned Counsel for the State and the complainant point out that the aforesaid persons who have been granted the benefit of bail have not been identified or any role attributed to them in the evidence led by the prosecution, however, since both the petitioners (herein) have been identified by PW-14 Rajiv Kaul and PW-4 Vijayvir Singh respectively, and they have been attributed the role of the complainant in the staircase and thus contributing to the blocking of the approach to the Office at the first floor which was put on fire resulting into the death of a worker and injuries to the others, no parity of treatment is made out. They further submitted that their names had been conveyed in the FIR had been duly corroborated or supported by the evidence of the prosecution. Still further, it is stated that the trial is near conclusion and, therefore, the prayer for grant of bail at this stage is not liable to be accepted.

After hearing learned Counsel for the parties and examining the relevant portions of the depositions of PW-14 and PW-4, and the advance stage of the trial, this Court is not inclined to interfere in the present petition.

Accordingly, the present petition stands dismissed.

August 13, 2015
Gagan

(JASWANT SINGH)
JUDGE