

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

CRM-M No.26814 of 2015

Date of decision: 6th October, 2015

Kuldeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Hitesh Verma, Advocate
for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana.

Mr. N.S. Shekhawat, Advocate
for the complainant.

FATEH DEEP SINGH, J.(ORAL)

Allegations against the petitioner Kuldeep in this second petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.145 dated 03.08.2013 registered at Police Station Siwani, District Bhiwani under Sections 148/149/323/302/506/120B IPC, are that on 03.08.2013 he along with his co-accused/non-applicants and 5/6 unidentified persons armed with iron rods/dangs have waylaid deceased Mahipal and caused him injuries resulting in his death.

It is inter alia argued by learned counsel for the petitioner Mr. Hitesh Verma, Advocate that neither any specific role has been attributed to the petitioner in commission of the offence and that similarly placed co-accused namely Ramphal @ Bhilda, Sher Singh and Sukhbir @ Sukhia have already been allowed regular bail by various orders of this Court dated 17.07.2015, 16.05.2014 and 24.08.2015 respectively and that the case of present petitioner is not distinguishable on that score.

Though the prayer has been strongly opposed by learned State counsel Mr. Munish Sharma, Asstt. Advocate General, Haryana as well as Mr.N.S. Shekhawat, Advocate representing the complainant on the ground that earlier bail application of the petitioner has been declined and that he is facing similar other charges.

Appreciating the same, the bare perusal of the FIR has not attributed any specific role to the petitioner in commission of the offence and neither learned counsel for the complainant could bring about any animosity between the petitioner and the complainant.

Keeping in view that the petitioner is in custody since 25.08.2013, in the light of principle of parity together with the fact that the trial will take a long time to conclude, this Court is of the opinion that no useful purpose will be served by keeping the petitioner in

custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

October 6, 2015
rps