

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

CRM-M-33209-2015 (O&M)

Date of Decision: November 30, 2015

Ishwar Singh and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Mukul Sharma, Advocate
for the petitioners.

Mr.Pawan Gaur, DAG, Haryana.

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1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

NARESH KUMAR SANGHI, J.(Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioners, Ishwar Singh, Surinder Singh and Lakha @ Ravinder, who have been booked for having committed the offences punishable under Sections 148, 212, 216, 302, 307, 323, 324 and 506 read with Section 149, IPC, and Section 25 of the Arms Act, in a case arising out of FIR No.242, dated 17.07.2014, registered at Police Station, Safidon,

District Jind.

At the very outset, learned counsel for the petitioners submits that it is the 4th application on behalf of petitioner No.1- Ishwar Singh, while second one on behalf of petitioner Nos.2 and 3- Surinder Singh and Lakha @ Ravinder, respectively; the earlier petitions filed by the petitioners were not decided on merits rather those were dismissed as withdrawn at those stages; the only ground for dismissal of their bail application by learned trial Court was that they failed to disclose that earlier petitions filed before yet another Additional Sessions Judge, Jind, was dismissed. The petitioners have not been assigned any injury either on the person of Brijpal (deceased) or the three injured persons in the present case. Learned counsel further points out that similar situate 12 co-accused of the petitioners are on bail. It has also been pointed out that the petitioners are behind the bars for the last 1 year and approximately 3 months.

Learned counsel for the State has fairly conceded that the earlier petitions filed by the petitioners were dismissed as withdrawn without arguing the case on merits. He after taking instructions from ASI Ramesh Chahal, Police Station, Safidon, District Jind, submits that the petitioners have not been attributed any specific injury either on the deceased or on the person of

three injured. He also admits the fact that the similar situate 12 co-accused out of 18 have been granted bail by learned Court below or this Court.

After hearing the learned counsel for the parties and going through the material available on record, this Court finds that the petitioners are behind the bars for the last 1 year and approximately 3 months; none of the petitioners has been attributed any specific injury on the person of the deceased or the injured persons; similar situate co-accused of the petitioners have been granted bail by the Court, therefore, the present petition is accepted. Petitioners-Ishwar Singh and Surinder Singh both sons of Ratan Singh and Lakha @ Ravinder son of Shyam Singh, all permanent residents of village Muana, Tehsil Safidon, District Jind, are ordered to be released on bail during pendency of the trial of the present case subject to their furnishing bail bonds to the satisfaction of the learned Chief Judicial Magistrate/ Duty Magistrate, Jind.

November 30, 2015
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(NARESH KUMAR SANGHI)
JUDGE