

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

CRM-M No.36182 of 2015

Date of Decision:-17.11.2015

Gulam.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Altaf Hussain, Advocate for the Petitioner.

Mr. R.K. Doon, AAG Haryana along with
HC Rohtash.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Gulam son of Hussain Khan aged 63 years in case FIR No.471 dated 3.9.2015 for offences punishable under Sections 148, 149, 323, 452, 307, 302 of Indian Penal Code and Sections 25/54/59 of Arms Act registered with Police Station Punhana, District Mewat, Haryana.

The dispute between the group aligned to the Sarpanch-Talib and his opponent Usman, Ex-Sarpanch erupted at the time of finalization of preparation of a Voter List for the ensuing elections of Gram Panchayat Village Jadoli, Tehsil Punhana, District Mewat. The accused group is the one aligned to Talib and is alleged to have thrown stones on the opposite group and the main accused Talib is alleged to have fired shots from a

country made pistol in the air. The Pelting of stones has resulted into the injuries to some persons and also alleged to have caused death of one minor girl Manisha on account of injuries sustained by her. The gun shot in the air have resulted into the death of one Imtiaz son of the complainant Nijar, who was studying on the rooftop of the adjacent house.

The petitioner Gulam is stated to be related to the Talib and there are no specific allegations or role attributed to him except the general of pelting of stones on the other group. The petitioner is stated to be in custody since 3.9.2015. It is further contended that similarly situated accused Khadim and his father Jan Mohd., have since been granted the concession of regular bail by this Court.

Learned State Counsel on instructions from HC Rohtash does not dispute the custody period as also the fact of grant of regular bail to the aforesaid two similarly situated co-accused.

Without Commenting on the merits of the case, keeping in view the parity of treatment, present petition deserves to be allowed and as such the same is allowed and petitioner is ordered to be released on bail to the satisfaction of the CJM/Duty Magistrate, Mewat.

(JASWANT SINGH)
JUDGE

November 17, 2015
Vinay