

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

**CRM-M No. 41507 of 2015 (O&M)
Date of Decision: 22.12.2015**

Rajesh alias Kala alia Mafia

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Pawan Kumar Hooda, Advocate
for the petitioner.

Mr. Rajiv Doon, AAG, Haryana
for the respondent/State, assisted by ASI Hem Raj.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular on behalf of the petitioner in case FIR No. 831 dated 11.07.2015 for the offences punishable under Sections 148, 149, 323, 325, 326 and 307 of the Indian Penal Code and Section 25/54/59 of the Arms Act, registered at Police Station Chandni Bagh, Panipat, District Panipat.

The quarrel between the neighbours occurred over a petty issue of breaking the electricity wire installed near the houses of parties. The accused party allegedly comprising of 11-12 persons waylaid the complainant party comprising of seven persons.

It is contended that only Jitender alias Jassi and Rakesh armed with *Gandasis* are alleged to have inflicted injuries which are dangerous to life, whereas rest of three accused i.e. Randhir @ Dhira, Amit and Parveen have since been granted regular bail. The role attributed to the petitioner is inflicting injury with *Gandasi* from the

handle side below the left eye of the complainant-Rajiv and on the head and right shoulder of injured-Narender. All the said injuries are stated to be simple in nature. It is further submitted that the petitioner is in custody since 15.07.2015 and after completion of investigation, challan has been presented.

Prayer of regular bail is based on parity of treatment with other co-accused.

Learned State Counsel, assisted by ASI Hem Raj, has filed reply on behalf of the respondent/State in Court, which is taken on record. He does not refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the facts noticed above; role attributed to the petitioner; parity of treatment and custody period of the petitioner, no useful purpose would be served by keeping the petitioner/accused in custody since the trial is not likely to be concluded in near future, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of CJM/Duty Magistrate, Panipat.

Disposed of.

December 22, 2015

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**(JASWANT SINGH)
JUDGE**