

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

CRM-M No. 1298 of 2016 (O&M)

Date of Decision: 19.01.2016

Sahid

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Saleem Ahmed, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana
for the respondent/State assisted by SI Balwant Singh.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular bail on behalf of the petitioner in case FIR No. 598, dated 01.11.2015, for offences punishable under Sections 186, 188, 332, 353, 307, 411 and 120-B of the Indian Penal Code, registered at Police Station Punhana, District Mewat.

Allegations against the petitioner and his co-accused-Saibir are that they were carrying illegally mined stones in their separate Hywa dumpers and had tried to run over the police officials at the *Naaka*.

It is contended that the petitioner is in custody since 01.11.2015 and the co-accused-Saibir has since been granted regular bail by the trial Court vide order dated 02.01.2016 (Annexure P-2), apart that even the alleged injury attributed to the petitioner is simple in nature. It is further contended that challan has been presented on 31.12.2015.

Learned State Counsel, assisted by SI Balwant Singh, is unable to refute the aspect regarding custody period of the petitioner, presentation of challan and grant of regular bail of co-accused-Saibir.

Without commenting on the merits of the case, keeping in view the facts noticed above; 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 Chief Judicial Magistrate/Duty Magistrate concerned.

Disposed of.

January 19, 2016

'dk kamra'

(JASWANT SINGH)
JUDGE