

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

CRM-M-2407-2016

Date of decision : 08.04.2016

Zile Singh and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Anmol Rattan Sidhu, Senior Advocate
assisted by Mr.Pratham Sethi, Advocate
for the petitioners.

Mr. Kuldeep Tiwari, Addl.AG, Haryana.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of anticipatory bail in case FIR No.351
dated 1.12.2015 under Sections 307/34 IPC and 25/27 of the Arms Act,
PS Pundri,District Kaithal.

As per version of complainant-Pawan Kumar both
petitioners-father and son duo accompanied by two other co-accused
came at the spot and petitioners are alleged to have fired one shot each at
the complainant and Rajesh Kumar.

It is contended that petitioner no.1-Zile Singh was in serious
civil litigation with his nephew Rohit Kumar regarding agriculture land
possession of which is bone of contention in the present FIR. In the suit

filed for declaration and injunction, Rohit Kumar and others were restrained from alienating half share of the suit land vide temporary injunction order dated 5.8.2014(P-3). The land still was sold by Rohit Kumar in violation of the order to complainant Pawan Kumar vide sale deed dated 11.6.2015. On the day of occurrence on 22.11.2015 it was Pawan Kumar who had come to take possession pursuant to the sale deed from the accused party when the petitioners are alleged to have fired upon them. It is further submitted that weapons were surrendered before the administration vide P-8 whereas FIR has been lodged after a delay of 8 days with false allegations and to put pressure on the petitioners.

It is next contended that the petitioners have joined investigation and fully cooperated.

Learned State counsel, on instructions from ASI Chander Parkash, admits that the petitioners have joined investigation and their custodial interrogation is not required.

In view of the above, anticipatory bail granted vide order dated 22.01.2016 is made absolute.

The petition stands disposed of.

(JASWANT SINGH)
JUDGE

April 08, 2016.
Davinder Kumar