

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

Date of decision:21.04.2016

Satish

.....Petitioner

v.

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.KS Dhaliwal,Advocate for the petitioner

Mr.Kuldip Tiwari,Addl.AG Haryana
with ASI Birbal Singh

Jaswant Singh,J.(Oral)

Prayer is for grant of regular bail in case FIR No.196 dated 23.5.2014 under Sections 302, 201, 420, 468, 471, 34 IPC and Section 25/54/59 of the Arms Act,1959, PS Sadar Jind,Distt.Jind.

There was blind murder of Sanjiv Kumar Batra detected in the morning of 23.5.2014. In the investigation name of main accused Ravinder surfaced as the deceased was demanding his money back from the said accused Ravinder. In the disclosure statement of Ravinder, who fired one shot in the neck of deceased, name of petitioner-Satish son of Sube Singh surfaced as the other accused,who also fired on the deceased. Third accused is Charan Singh who had driven the Innova car to and from the site of murder.

It is contended that this Court in the case of co-accused Ravinder had, vide order dated 1.9.2015 (P-1), directed the prosecution to conclude its entire evidence by 24.12.2015 subject to no obstruction by the accused party, failing which the accused Ravinder was permitted to be released on bail to the satisfaction of the trial court.

It is further contended that the said co-accused Ravinder, in terms of the said order dated 1.9.2015(P-1), has since been enlarged on regular bail by the trial court on the ground of non-conclusion of the prosecution evidence. Thus, parity of treatment is claimed.

Learned State counsel on instructions is unable to refute the fact that prosecution evidence has not yet concluded and the said co-accused Ravinder has since been enlarged on bail in terms of order dated 1.9.2015(P-1).

Without commenting on the merits of the case, in view of the aforesaid circumstances and parity of treatment, present petition is allowed and accused Satish is directed to be released on regular bail to the satisfaction of CJM/Trial Court/Duty Magistrate,concerned.

Disposed of.

21.04.2016
joshi

(Jaswant Singh)
Judge