

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

**CRM-M No.3774 of 2016 (O&M)
Date of Decision: 15.03.2016**

Prem

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Surinder Singh Duhan, Advocate for the petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
for the respondent/State assisted by A.S.I. Krishan Kumar.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Prem in case FIR No.0138 dated 13.07.2015, under Sections 302, 34, 216, 120-B of the Indian Penal Code (for short 'IPC') and Sections 25, 54, 59 of the Arms Act, registered with Police Station Pillu Khera, District Jind (**Annexure P-1**).

The brother-Ramesh of the complainant-Surender was shot dead by non-applicants/co-accused Pankaj and Vishal.

The motive attributed is that the land sold by the accused party to a third party and subsequently purchased by the complainant party was not to the liking of the accused party.

The present petitioner/accused-Prem and co-accused Krishana Devi are the parents of main accused-Pankaj and have been challaned with the offence of conspiracy (Section 120-B, IPC) and harbouring of Pankaj and Vishal (Section 216, IPC).

The petitioner is stated to be in custody since 19.07.2015 and after presentation of the challan, the case is at the stage of framing of charges. The evidence of 18 cited prosecution witnesses is yet to commence.

It is contended that similarly placed co-accused Krishana Devi has been granted regular bail by the trial Court and, therefore, parity of treatment is prayed for.

Learned State Counsel, assisted by ASI Krishan Kumar, does not dispute the aforesaid factual position, as also qua the grant of bail to co-accused Krishana Devi.

Without commenting on the merits of the case, keeping in view the parity of treatment, custody period of the petitioner and the facts as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

March 15, 2016

Gagan

**(JASWANT SINGH)
JUDGE**