

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

**CRM-M No.39325 of 2015**

**Date of Decision:-15.01.2016**

**Kailash.**

.....Petitioner.

Versus

**State of Haryana.**

.....Respondent.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH**

Present:- Mr. N.S. Shekhawat, Advocate for the Petitioner.

Mr. Kuldip Tiwari, Additional Advocate General, Haryana  
assisted by SI Des Raj.

Mr. Kunal Dawar, Advocate for the Complainant.

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**JASWANT SINGH, J (ORAL)**

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Kailash in case FIR No.407 dated 07.07.2015 for offences punishable under Sections 147, 148, 149, 323, 435, 436, 427, 395, 285 of Indian Penal Code and Section 25 of the Arms Act registered with Police Station Sadar, Palwal, Haryana.

The allegations levelled by the complainant Hassan Khan are that on 5.7.2015 at around 4.30 PM a group of 40/45 persons armed with guns and lathies etc., had attacked his house, taken household articles and tried to set it ablaze.

Learned Counsel for the petitioner points out that only three accused were arrested including the petitioner, who is in custody since 22.7.2015. It is next contended that the rest of the arrested co-accused have since been granted regular bail and after completion of investigation challan has been filed against only three persons. He thus prays for bail on the ground of parity and completion of investigations

Learned Counsel for the complainant vehemently opposes the grant of regular bail to the petitioner.

Learned State Counsel assisted by SI Des Raj does not dispute the fact of grant of bail to the co-accused and the filing of the challan.

Without commenting on the merits of the case, keeping in view the period of incarceration, presentation of challan and that conclusion of trial is likely to take sometime, 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 learned CJM/Duty Magistrate, Palwal.

Petition stands disposed of.

**( JASWANT SINGH )**  
**JUDGE**

**January 15, 2015**  
Vinay