

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

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CRM-M-40439-2015

Date of Decision: January 29, 2016

PAWAN

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Suresh K. Jindal, Advocate for the petitioner
Mr.Gurdas Singh Salwara, DAG, Haryana

M.M.S.BEDI, J.(Oral)

The petitioner seeks concession of regular bail in a case registered at the instance of Saroj Devi alleging that her husband Hari Parkash had been waylaid on 24.5.2015 by Vikas @ Bittu, Chand and Ram Parkash while one person remained in car. All the three accused had fired at Hari Parkash with their respective weapons as a result of which he died on the spot. So far as the petitioner is concerned, he was arrested on the statement of the complainant that about one week prior to occurrence, the petitioner along with Braham Parkash, Manjit and Bittu etc. had come to the house of the complainant.

The petitioner is attributed conspiracy. He was not allegedly present on the spot. When first application filed by the petitioner was dismissed on bail, complainant Saroj Devi had not been examined. On the basis of changed circumstances that the material witnesses stands examined, the petitioner seeks concession of regular bail.

Taking into consideration the period of detention suffered by the petitioner and nature of the allegations that he was not present on the spot, he can be granted the concession of bail.

The petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the trial Court.

Nothing said in this order will prejudice the adjudication of the trial on merits.

January 29, 2016

**(M.M.S.BEDI)
JUDGE**