

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

**CRM-M No.44283 of 2015 (O&M)
Date of Decision: 13.05.2016**

Tayyub

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Jai Kishan.

Mr. Salim Ahmed, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Tayyub in case FIR No.282 dated 06.10.2011, under Sections 307, 34 of the Indian Penal Code (Section 201, IPC added later on) and Sections 25/54/59 of the Arms Act, registered with Police Station Bahin, District Palwal.

The role attributed to the petitioner is of firing a shot, which hit the right thigh of the complainant-Sakir.

The petitioner is a truck driver by profession and was declared a proclaimed offender on 27.03.2012. He was arrested on 08.10.2015 and has undertaken custody for almost 07 months.

It is contended that the similarly placed co-accused/non-applicants-Sahabuddin and Pappu @ Ati Mohd., who were declared proclaimed offenders, have also been released on bail.

Learned State Counsel, assisted by ASI Jai Kishan, does not dispute the grant of bail to other co-accused, who were also declared proclaimed offenders and further submits that 03 out of 30 prosecution witnesses have been examined.

Without commenting on the merits of the case, keeping in view the parity of treatment, role attributed, custody period and the fact that trial is not likely to be concluded in near future, 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.

May 13, 2016
Gagan

(JASWANT SINGH)
JUDGE