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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 16733 of 2017

Date of Decision: 25.05.2017

Ajay

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. K.D.S. Hooda, Advocate,
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No. 253, dated 04.10.2013, under Sections 302, 201, 120-B and 34 I.P.C. and under Section 25 of the Arms Act, registered at Police Station Loharu, District Bhiwani.

Petitioner seeks regular bail on parity with Sita Ram,

who has been granted bail by this Court on 09.02.2017 in
CRM-M No. 3730 of 2017.

Learned counsel for the petitioner submitted that the F.I.R. was registered at the instance of Som Parkash with the allegations that his brother Umesh along with Monu Birhi and Ankit Mori went to Village Kharkhari in a Jagran ceremony. The complainant, along with others, was going on the motorcycle. He stopped his motorcycle for the purpose of receiving a mobile call. Two occupants, namely Monu Birhi and Ankit Mori, started drinking water. In the meanwhile, two vehicles came there, in which Vikram Dholia, Ramesh Pardhan and 12-13 unknown persons came there and they started firing on the brother of the complainant. Ramesh Pardhan and Vinod Dholia fired from their weapons on the brother of the complainant. Two of the occupants picked up brother of the complainant and put him in the car and went away from the spot. On the next morning, dead body of Umesh was recovered from the fields.

Main allegations were made against Ramesh

Pardhan and Vinod Dholia that they were having some business dealings. One lady Priyanka was known to Vinod Dholia and she was believed to be his fiancée. She was exerting pressure on the brother of the complainant to marry her younger sister, failing which there would be dire consequences.

In the version recorded in the F.I.R., there was no *prima-facie* complicity of the petitioner, but in the supplementary statement of the complainant dated 06.02.2015, the complicity qua the petitioner was alleged.

Disclosure statement of the petitioner was recorded. At one point, he was declared to be a proclaimed offender, but thereafter, he was allowed to join the proceedings with the permission of the Court on 04.04.2016.

Challan has already been presented.

At this stage, without adverting to merits of the case and in view of order dated 09.02.2017, granting concession of regular bail to co-accused Sita Ram, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on regular bail, subject to his furnishing adequate bail bonds/ surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 25, 2017

Apurva

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No