

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

**Criminal Misc. No.M-26631 of 2017
Date of Decision: 04.08.2017**

Ravi Parkash & another

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Shoen Singh Verma, Advocate
for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioners in case FIR No.270 dated 20.12.2016 under Sections 147, 148, 149, 302, 323, 506 IPC and Section 3(2)(V) of the SC/ST Act registered at Police Station Badhra, Tehsil and District Charkhi Dadri.

Learned counsel for the petitioners has submitted that as per the FIR, the allegation against petitioner no.1-Ravi Parkash is that he has given *danda* blow on the back of the complainant-Mahesh, however, no injury has been attributed to petitioner no.2-Satya Parkash. He has further submitted that co-accused of the petitioners namely Salim and Ashwani have already been admitted on regular bail by this Court vide orders 6.7.2017 passed in CRM-M-22336-2017 *Salim @ Sonu v. State of*

Haryana and CRM-M-22923-2017 *Ashwani v. State of Haryana* respectively. Even otherwise, complainant-Mahesh, at whose behest the FIR in question was registered, has not supported the prosecution version.

On the other hand, learned State counsel, on instructions from ASI Haresh Kumar, does not dispute the fact that co-accused of the petitioners have been admitted on regular bail and that the complainant-Mahesh has been declared hostile.

I have heard learned counsel for the parties.

It is not in dispute that the petitioners No.1 and 2 are in custody since 22.12.2016 and 27.1.2017 respectively and the complainant has not supported the prosecution version and has been declared hostile. Considering the fact that trial in the case may take long time, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioners are admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, it is made clear that any observations made hereinabove shall not be construed as any expression on the merits of the case.

August 04, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No