

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

**CRM-M-26700-2017
Date of decision :31.07.2017**

Sheo Ram and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : Dr. Anand Kumar Bishnoi, Advocate
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

H.S. MADAAN, J. (Oral)

This petition for grant of regular bail on behalf of the petitioners has been filed in criminal case bearing FIR No.312 dated 04.07.2017 under Sections 147, 148, 504, 506 IPC with offence under Section 455 IPC (added later on) with Police Station, Pataudi, District Gurugram, Haryana.

Briefly stated facts of the case are that FIR was registered on the basis of written complaint filed by Sandeep son of Late Shri Lalaram alleging that on 03.07.2017 at about 11 a.m. possession of plot was to be delivered to the complainant party in execution of the order passed by

learned Civil Judge (Junior Division). It was so done by Tehsildar, Pataudi with police help. However, the opposite party called anti social elements prior to arrival of Tehsildar. Those criminals came in three vehicles and they started abusing and holding out threats, as such, complainant sought action against them. Formal FIR was registered against the petitioners and they were arrested in this case on 06.07.2017 and presently they are in judicial custody.

The petitioners had approached the Court of learned Additional Sessions Judge, Gurugram seeking regular bail but were unsuccessful there, since their such request was declined on 19.07.2017. Feeling aggrieved, they have approached this Court by filing the instant petition.

Notice of the petition was given to the State.

I have heard learned counsel for the petitioners and learned State counsel, besides going through the record.

At the very outset learned counsel for the petitioners has stated that possession of the plot in question has since been delivered to the complainant party and that petitioner No.1-Sheo Ram is old man of 79 years. Learned counsel for the petitioners further submits that efforts for compromising the matter are going on.

Learned State counsel has admitted the fact regarding delivery of possession to the complainant but has stated that he is not aware of any compromise between the parties.

After hearing rival contentions of learned counsel for the parties and going through the record, I am of the view that it would be proper and appropriate if the concession of regular bail is granted to the

petitioners. Moreover, conclusion of trial will take long time, hence no useful purpose will be served by keeping them behind the bars any more. Therefore, in view of the abovesaid circumstances, this petition is accepted. Petitioners-Sheo Ram and Nav Ratan be admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of the learned CJM / Duty Magistrate, Gurugram.

CJM/Duty Magistrate, Gurugram may impose any terms and conditions found suitable to ensure that the petitioners do not abscond or try to tamper with the prosecution evidence.

31.07.2017
Gaurav Sorot

(H.S. MADAAN)
JUDGE

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**