

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-28611-2017

Arun Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

2. CRM-M-25485-2017

Chand

..... Petitioner

Versus

State of Haryana

..... Respondent

Date of decision :23.08.2017

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

Present : Mr. Diwan S. Adlakha, Advocate
for the petitioner in **CRM-M-28611-2017**.

Mr. R.S. Budhwar, Advocate
for the petitioner in **CRM-M-25485-2017**.

Mr. Gaurav Bansal, AAG, Haryana.

H.S. MADAAN, J. (Oral)

Vide this order, I shall dispose of two petitions for grant of regular bail filed by Arun Singh, **CRM-M-28611-2017** and Chand, **CRM-M-25485-2017** both of them being accused in FIR No.374 dated 20.04.2017 under Sections 148, 149, 307, 427, 506 IPC and Section 25 of the Arms Act,

registered with Police Station City Thanesar, District Kurukshetra.

Mr. Dheeraj Mahajan, Advocate puts in appearance on behalf of the complainant by filing power of attorney, which is taken on record.

Reply on behalf of complainant filed, copy supplied.

In nutshell, the facts of the case are that complainant-Om Parkash son of Rameshwar Dutt, resident of Darra Khera had reported the matter to police of Police Station Thanesar that on 20.04.2017 at about 5:30 p.m., Sukhbir along with Ram Kumar, Sanjeev, Chirag, father of Chirag, Kulwant, Deepu (body builder), Sahil Khan, Jalandhar, Balwan and Sarpanch of village Sandir and 70-80 persons while armed with deadly weapons like *lathis*, *dandas* and swords tried to take possession of vacant *shamlat* land from him and in the process, gun shots were fire. However, when they offered resistance by throwing brickbats, the assailants ran away. On the basis of said statement, formal FIR was registered.

Petitioner – Arun Singh was arrested in this case on 03.06.2017 and petitioner – Chand was arrested on 02.05.2017 and presently they are in judicial custody.

I have heard learned counsel for the petitioners, learned counsel for the complainant as well as learned State counsel, besides, going through the record.

Learned counsel for the petitioners have submitted that the petitioners have not named in the FIR, fortunately there was no causality in the incident. It is further stated that co-accused of the petitioners namely Sunil Kumar, **CRM-M-24930-2017**; Mehardeen @ Sahil Khan and Ravinder Alia Binda, **CRM-M-18682-2017**; Sandeep @ Dipu, **CRM-M-21937 of 2017**; Sawaran Singh, **CRM-M-22645-2017** have been granted

pre-arrest bail by this Court vide order dated 02.08.2017 and his co-accused-Hardeep Singh @ Kalu in CRM-M-25727-2017 was granted regular bail by this Court vide order dated 02.08.2017 and prayed that the petitioners be also granted the concession of regular bail under similar circumstances.

Learned counsel for the complainant as well as learned State counsel contended that keeping in view the seriousness of allegations regular bail may not be granted to the petitioners.

However, after considering rival contentions I am of the view that the petitions deserve to be allowed. Moreover, conclusion of trial will take long time, their guilt shall be established during the trial. Hence no useful purpose will be served by keeping them behind the bars any more. Therefore, in view of the abovesaid circumstances, petitions are accepted. Petitioners-Arun Singh and Chand be admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court / CJM / Duty Magistrate, Kurukshetra.

It is clarified that in case the petitioners indulging in any criminal act after being granted bail, the prosecution would be entitled to approach the Court seeking cancellation of the bail.

The petitions are allowed accordingly.

(H.S. MADAAN)
JUDGE

23.08.2017
Gaurav Sorot

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