

IN THE HIGH COURT OF PUNJAB & HARYANA <sup>Lucky</sup> 2017.01.12 14:57  
CHANDIGARH

CRM No. M- 34278 of 2016(O&M)  
Date of Decision: 11.01.2017

Kiran Pal

--Petitioner

Versus

State of Haryana

--Respondent

**CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr. Karan Pathak, Advocate for the petitioner.

Mr. C.S. Bakshi, Addl. A.G. Haryana.

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**TEJINDER SINGH DHINDSA.J**

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.26 dated 15.01.2015 under sections 395, 397, 120-B I.P.C., and Section 25 of the Arms Act, registered at Police Station, Hodal, District Palwal.

Learned counsel for the parties have been heard.

FIR in question was registered on the statement Dharambir and on the allegations that on 15.01.2015 the complainant along with one Suresh were going to the Bank to deposit a sum of Rs. 2,60,000/- and at that point of time the present petitioner along with other co-accused came and kicked their motorcycle and on account of which both of them fell down.

Version of the complainant is that one of the accused persons had given a *Batt* blow of the pistol on the head of Suresh whereas another co-accused had fired a short, which hit the complainant Dharambir.

In so far as the present petitioner is concerned he has been implicated on the basis of a disclosure statement made while he was in custody in some other matter.

During the course of hearing today the deposition of complainant Dharambir in examination-in-chief as also cross-examination has been produced and the same has been perused. The complainant in his deposition before the Trial Court has not supported the prosecution version in so far as the present petitioner is concerned.

Petitioner has been in custody since 31.03.2015.

Even though, learned State counsel has opposed the prayer made in the petition by submitting that the petitioner is involved in a number of other criminal proceedings, yet, it may be noticed that the petitioner is on bail in the other FIRs registered against him.

The trial in the present case would take time to conclude.

In view of the facts notice herein above and coupled with the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Palwal.

Petition disposed of.

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**11.01.2017**

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| Whether speaking/reasoned: | Yes |
| Whether Reportable:        | No  |