

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

206

CRM-M-16017-2018

Date of Decision: April 27, 2018

Pardeep Kumar

.....Petitioner(s)

versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Ashok Paul Batra, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Sudhir Mittal, J. (Oral)

The petitioner-Pardeep Kumar son of Raja Ram, seeks grant of regular bail in case FIR No.156, dated 10.08.2015, under sections 364-A, 302/34 IPC, registered at Police Station Sadar Fazilka, District Fazilka, Punjab.

2. As per the allegations in the FIR, co-accused Daulat Ram son of Mani Ram, made a phone call to the deceased that some land was being sold at a very cheap rate and he should accompany said Daulat Ram for purchase of said land. Thereafter, the allegation is that the petitioner as well as co-accused Daulat Ram confined the deceased and beat him up. They also demanded a sum of rupees five lacs from the family of the deceased. After some time, they left the deceased at the hospital, where he died.

3. Learned counsel for the petitioner submits that the petitioner is identically placed as co-accused-Daulat Ram, who has been granted regular bail by this court vide the order dated 14.02.2018 and on the principle of parity the petitioner also deserves to be granted regular bail. Moreover, he has been in custody for two

and half years and there is no case pending against him.

4. Custody certificate dated 26.04.2018, prepared by Sh. Ajmer Singh, Superintendent, Central Jail, Ferozepur, has been filed in Court and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of two years, six months and twenty days.

5. On being asked, learned State counsel states that out of twenty prosecution witnesses, only four have been examined till date.

6. Keeping in view the totality of facts and circumstances of this case, it would be just and appropriate to release the petitioner on regular bail during the pendency of the trial.

7. Thus, the petition is allowed. Petitioner-Pardeep Kumar son of Raja Ram, is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of learned trial Court concerned at Fazilka.

April 27, 2018

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[SUDHIR MITTAL]

JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No