

CRM No.M-18387 of 2018 :1:

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

CRM No.M-18387 of 2018
DATE OF DECISION:10.05.2018

Rajiv @ Gola

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Sandeep Singh Jattan, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

DAYA CHAUDHARY, J.(ORAL)

Through the present petition filed under Section 439 Cr. P.C., the petitioner seeks regular bail in case FIR No.212, dated 02.12.2017, registered under Sections 148, 149, 186, 307, 332, 353, 427 of IPC, Section 3 PDPP Act, 1984 and Section 8-B National Highway Act, 1956 at Police Station Khizarabad, District Yamunanagar.

Learned counsel for the petitioner submits that the case of the petitioner is at par with co-accused namely Satbir @ Nonu, Intzar, Aashiq Ali & others, Gaffar, Zakir, Gobind, Krishan Lal & Man Singh @ Foji who have approached this Court by way of filing different petitions and they have been granted bail. While granting bail to aforesaid accused persons it was mentioned that the petitioners in those cases were part of mob which gathered at highway on 02.12.2017 to protest pursuant to an incident in which a person died after being run over by a tractor trolley.

Case of the petitioner is also similar and is also entitled to regular bail keeping in view the parity.

Learned State counsel has not disputed with regard to grant of bail to other similarly situated persons.

Heard.

The relevant portion of order for grant of regular bail to other co-accused is reproduced as under:-

“Petitioner was part of a mob which gathered at highway on 02.12.2017 to protest pursuant to an incident in which a person died after being run over by a tractor trolley. In order to control the situation, police arrived at the scene. However, policy party is stated to have been assaulted by the petitioner and co-accused. Certain serious injuries were also stated to have been caused to the police personnel particularly, SHO-Virender Singh attracting offence under Section 307 IPC. Petitioner is incarcerated since the first week of January, 2018. Investigation qua him is complete and challan has been presented. Proceedings may take long time to conclude. Thus, petitioner deserves to be enlarged on bail.

Keeping in view the contentions made before this court, I am of the considered view that no useful purpose would be served by detaining the petitioner any longer. Accordingly, petition is allowed and petitioner is directed to be enlarged on bail to the satisfaction of Trial court/Duty Magistrate subject to such terms and condition(s) as it may deem fit to impose”

Keeping in view the submissions made by learned counsel for the petitioner and by considering the fact that the allegation against the petitioner is also of the similar nature and co-accused have already been

CRM No.M-18387 of 2018 :3:

granted regular bail, the present petition is allowed. The petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

10.05.2018
rimpal

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No