

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

**Crl. Misc. M – 25349 of 2018
Date of decision: - 13.06.2018**

Kamlesh & Anr.

..... Petitioners

versus

State of Haryana

.....Respondents

CORAM: - HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: - Mr.Vishal Nehra, Advocate, for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

ARVIND SINGH SANGWAN, J (ORAL)

The present petition is for grant of regular bail in FIR No. 236 dated 01.05.2018, registered under Section 307/34/386/506 IPC (Section 120B IPC added later on) at Police Station Sonipat Sadar, District Sonipat.

Learned counsel for the petitioners submits that as per allegations in the FIR, three persons, namely, Parveen who is son of petitioner No.1, Sunny who is brother of petitioner No.2 along with one Lovely had demanded ransom and on refusal they fired a shot on the complainant, however he escaped. Learned counsel for the petitioners further submits that the allegations against both the petitioners are that son of petitioner No.1 and brother of petitioner No.2 are habitual offenders and the conspiracy was hatched at the residence of petitioner No.1, who is 65 years old lady. Learned counsel for the petitioners further submits that both the petitioners were not named in the FIR and there is no direct allegation against them to demand any ransom or fired shot on the complainant. He further submits that the petitioners are in judicial lock-up for about one month and are no more required for further investigation.

Learned State counsel, on instructions from ASI Kuldeep Singh, has not disputed the factual position and has submitted that it has come in the supplementary statement, which was recorded on 05.05.2018 that the conspiracy was hatched at the residence of petitioner No.1.

Without commenting anything on merits of the case, considering the fact that petitioner No.1 is an old lady of about 65 years and there is no direct allegation against both the petitioners, except for hatching a criminal conspiracy, the present petition is allowed and the petitioners are directed to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of trial Court/Illaqa Magistrate/Duty Magistrate.

Disposed of.

June 13, 2018
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(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>