

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

CRM-M-40749-2018

DATE OF DECISION:-15.11.2018

PARVINDER SINGH @ GAGA

...PETITIONER...

V.

STATE OF HARYANA

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Rajender Kumar, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.176, dated 02.04.2018, registered under Sections 148, 149, 323, 324, 341, 379, 506 IPC and Section 25 of the Arms Act, 1959 as well as Sections 325 and 326 IPC (added later on) at Police Station Pehowa, District Kurukshetra.

According to the prosecution, on 31.03.2018 at about 3:00 p.m., the petitioner and his six accomplice forming an unlawful assembly, armed with deadly weapons, with common object, chased complainant-Krishan Kumar in Innova car and inflicted him injuries. They also took away an amount of Rs.50,000/- forcibly from the pocket of the complainant by pointing out a country made pistol towards him by his co-accused Rajdeep and threatening him with dire consequences. The petitioner was armed with iron rod, who threw it on the complainant,

when he was in the process of running away, in order to save himself from the clutches of the petitioner and his accomplice. The said rod entangled in the legs of the complainant. As a result thereof, he fell down on the ground. Thereafter, the petitioner and his accomplice gave merciless beatings to him.

Learned counsel contends that the petitioner is not named in the FIR. He has falsely been implicated in the instant case only on the basis of disclosure statement of his co-accused Rajdeep. Co-accused Harkesh @ Kesha has been granted the concession of bail after 87 days of his arrest. Petitioner is in custody since 23.06.2018. Treating the case of the petitioner on the same parity as that of his co-accused, he may also be enlarged on bail. Conclusion of trial may take sufficient long time. Therefore, no useful purpose would be served by detaining the petitioner in jail any more during trial.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned and an undertaking be also given by the petitioner that he shall not make any threat or create any fear in the mind of prosecution witnesses for the complainant.

15.11.2018

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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:
whether reportable:

Yes/No
Yes/No