

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

CRM-M No.48610 of 2018

Date of decision : 14.11.2018

Braham Parkash @ Billu

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Mukesh Yadav, Advocate for the petitioner.

Mr. D. K. Mittal, DAG, Haryana.

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DAYA CHAUDHARY, J. (Oral)

Petitioner Braham Parkash alias Billu has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to him in case FIR No.261 dated 03.12.2017 under Sections 148/149/307/323/364/449/450 of the Indian Penal Code, 1860 (for short the 'IPC'), registered at Police Station – Ateli, Distt. Mahendergarh, during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas he was not involved. Subsequently Section 307 IPC has been deleted. Nothing was recovered from the petitioner and he is in custody since 10.08.2018. Co-accused of the petitioner namely Yogender alias Yogi, Rahul and Harvinder have been released on bail.

Learned State counsel has not disputed deletion of Section 307 IPC as well as the fact that investigation has been completed and charges have been framed. He has also not disputed release of the co-accused on bail.

Heard arguments of learned counsel for the parties and have also perused the contents of the FIR and other documents available on the file.

By considering the role attributed to the petitioner, the facts that he is in custody since 10.08.2018, stage of the trial and keeping in view that co-accused namely Yogender alias Yogi has been released on anticipatory bail, which has been made absolute and co-accused namely Rahul and Harvinder have also been granted regular bail, therefore, on the basis of parity, the present petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

14.11.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No