

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

**CRM-M-47025 of 2019**  
**Date of Decision: 29.11.2019**

Parveen

....Petitioner

**VERSUS**

State of Haryana

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Gautam Dutt, Advocate  
for Mr. Rajender Singh Malik, Advocate  
for the petitioner.

Ms. Dimple Jain, A.A.G. Haryana.

Mr. Arshdeep Bhullar, Advocate  
for the complainant.

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**SURINDER GUPTA, J.(Oral)**

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.516 dated 03.10.2015 registered for offences punishable under Sections 302, 307, 34, 212, 120-B of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Ganaur, District Sonapat.

Heard.

Learned counsel for the petitioner seeks regular bail for the petitioner on parity with his father, namely, Surender, with the plea that no specific role to petitioner has been attributed and as per allegations in the FIR, he was standing at the spot with his father. The fire shot injuries to deceased-Sajjan Singh have been attributed to co-accused, namely, Sushil @ Sheela, Sunil @ Ullu and Naresh @ Bandri. The petitioner was arrested in this case on 06.09.2017 and no weapon was recovered from his

possession. Complainant and eye-witnesses have been examined in this case, as such, there is no reason for the prosecution to allege that he will prevail upon the prosecution witnesses and tamper with evidence, the grounds on which earlier bail application was declined.

Learned State counsel submits that the petitioner was proclaimed offender and was arrested by the Delhi Police in some other case and his custody was taken on production warrants. As per allegations in the FIR, he was also present at the time of occurrence. Though, the petitioner has not been attributed any fire-arm injury but has been arrayed as accused being a conspirator.

With similar allegations, father of petitioner, namely, Surender who was attributed *lalkara*, has been allowed regular bail vide order dated 16.10.2019 passed in CRM-M-19270-2019. Earlier bail application (CRM-M-2257-2018) of petitioner was dismissed vide order dated 25.05.2018 with the observation that he may prevail upon witnesses and tamper with prosecution evidence. As per learned State counsel, complainant and eye-witnesses have already been examined.

In view of above, without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Parveen is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the

benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.

- (c) He shall not leave the country without the previous permission of the Court.

November 29, 2019  
jk

( SURINDER GUPTA )  
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No