

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

203

**CRM-M-13250-2020
Date of decision : 10.06.2020**

Parveen Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Fateh Saini, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video-conferencing.

The petitioner has filed present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to him in case FIR No.391 dated 02.10.2019 registered under Sections 148, 149, 323, 324, 427 and 506 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Ladwa, District Kurukshetra to which Section 307 of the IPC was added lateron.

The above-said FIR was lodged on complaint of Rameshwar Singh alleging that on 01.10.20219 he along with Jit Singh and Banti Kumar was present at wine shop, Hinori Road, Ladwa and Bal Kishan was present outside the said shop. At about 7:30 p.m. Sher Khan, Harpal Singh Kaasi (Parveen Kumar), Sanju and three more boys came there. Sher Khan was having gandasi whereas Harpal, Kaasi

(Parveen Kumar) and Sanju were armed with iron rods and they started beating Bal Kishan. Sher Khan gave gandasi blow on the back side of head of Bal Kishan, Harpal gave iron rod blow on his left leg and Kassi (Parveen Kumar) gave blow of iron rod on left arm and Sanju and other boys gave injuries with iron rods on the person of Bal Kishan and they also damaged the car. On completion of investigation, the police charge-sheeted the petitioner along with his co-accused.

The petitioner being in custody since his arrest on 03.10.2019 has filed the present petition for grant of regular bail.

Copy of the petition has already been supplied to learned State Counsel who has opposed the same.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the relevant record.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the case. The injury attributed to the petitioner does not find any mention in the MLR. Injury declared to be dangerous to life is not attributed to the petitioner. The petitioner is not involved in any other case. Co-accused Rohit Kumar and Harpal Singh have been granted bail by the Coordinate Benches of this Court vide orders dated 28.02.2020 and 13.05.2020 respectively. The trial is likely to take long time. No useful purpose will be served by detention of the petitioner in custody during trial. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State Counsel has argued that the petitioner having committed heinous offences and being involved in another case of similar nature does not deserve the concession of

regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner, role attributed to him, parity with his co-accused Rohit Kumar and Harpal Singh, who have been granted bail by the Coordinate Benches of this Court vide orders dated 28.02.2020 and 13.05.2020 respectively, and the fact that trial is likely to take long time but without commenting on the merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10.06.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No