

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

CRM-M No.38411 of 2015 (O&M)

Date of Decision: 11.12.2015

Rakesh Masih

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rajesh K. Dadwal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State along with A.S.I. Manmohan Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail in case FIR No.152 dated 08.10.2014, under Sections 420, 406 and 120-B of the Indian Penal Code, registered with Police Station Mukerian, District Hoshiarpur (**Annexure P-1**).

As per the allegations, the main accused-Hitesh Mani and his wife-Urvashi along with their staff have duped many persons totaling for a sum of Rs.90 Lacs for sending them abroad. The allegations of even detaining the Passports of the Customers have been made.

Learned Counsel for the petitioner/accused submits that the petitioner is one of the Members of the Staff, who has been singled out for being prosecuted. He further submits that the main accused-

Hitesh Mani has since been released on regular bail and his wife released on anticipatory bail by the learned trial Court. He thus claims parity of treatment. He further submits that the petitioner is in custody since 08.08.2015 and the case is triable by the Magistrate. He further submits that the case is at the stage of recording of prosecution evidence.

Learned State Counsel, on instructions from ASI Manmohan Singh does not dispute that both husband and wife/main accused have since been released on bail.

Without commenting on the merits of the case, keeping in view the parity of treatment and the facts as noticed above, this Court finds that petitioner/accused-Rakesh Masih deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Hoshiarpur.

Disposed of.

December 11, 2015

Gagan

**(JASWANT SINGH)
JUDGE**