

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

**Crl. Misc. No.M-24748 of 2017 (O&M)
Date of Decision: October 30, 2017.**

Kamal Kishore @ Mintu

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rahul Rampal, Advocate
for the petitioner (s).

Mr. V.G.Jauhar, Sr. D.A.G., Punjab.

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. 120 dated 05.05.2017 registered for the offences punishable under Sections 382, 411 read with Section 120-B of Indian Penal Code at Police Station Division No. 5, District Ludhiana..

Heard.

Learned counsel for the petitioner seeks regular bail for petitioner on parity with co-accused Mani Kumar @ Tinku, who has been allowed regular bail by this Court vide order dated 07.07.2017 passed in CRM-M-23002-2017.

Learned State counsel submits that the name of the petitioner has come up in the disclosure statement of co-accused. CCTV footage of

incident has been sent to the FSL and report is still awaited. 4 out of 6 accused have been allowed regular bail, which include the accused, who are visible in CCTV footage.

In view of submission of learned counsel for the petitioner, learned State counsel and applying the principle of parity, the present petition is allowed. Petitioner Kamal Kishore @ Mintu 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

(SURINDER GUPTA)
JUDGE

October 30, 2017
Jyoti-II

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***