

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(205)

CRM No. M-29839-2020

Date of Decision : 06.10.2020

SUNIL KUMAR

....Petitioner

Versus

STATE OF HARYANA

....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ashish Pannu, Advocate for the petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 193 dated 21.03.2020, under Sections 406, 420, 506 IPC (Section 201, 120-B, 34 IPC added lateron), registered at Police Station Karnal City, District Karnal.

Learned counsel for the petitioner submits that petitioner has wrongly been implicated in the present case. Learned counsel for the petitioner further submits that even as per the FIR, the complainant has stated that the possession of the Trucks was given by the complainant to co-accused, namely, Rahul Rana and there is no allegation against the present petitioner. Learned counsel further submits that a similarly situated co-accused, namely, Pankaj @ Mahesh has already been granted the benefit of regular bail by this Court while deciding CRM No. M-27309 of 2020, on 17.09.2020 and, therefore, petitioner is also entitled for the concession of regular bail on the ground of parity.

Notice of motion.

Ms. Safia Gupta, Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel concedes that the allegations against the petitioner and co-accused, Pankaj @ Mahesh are similar and Pankaj @ Mahesh has already been granted the benefit of regular bail by this Court while deciding CRM No. M-27309 of 2020, on 17.09.2020.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, it is conceded that the allegations against the petitioner and co-accused, Pankaj @ Mahesh are similar and Pankaj @ Mahesh has already been granted the benefit of regular bail by this Court, the petitioner has made out a case for the grant of regular bail on the ground of parity.

The petitioner be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial in any manner as the challan has already been presented and in case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

October 06, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE