

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

CRM-M-14536-2021(O&M)

Date of decision: 06.04.2021

Raghubir @ Kala

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Randeep S. Dhull, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 129 dated 25.04.2019 registered under Sections 420, 120-B, 406, 323, 379-B and 506 IPC, at Police Station Sector-17 Faridabad, District Faridabad.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. He further contends that co-accused Paras Jain, stands granted bail under Section 167(2) Cr.P.C. and the case of the petitioner being on the similar footing, he is also entitled to be granted the concession of regular bail on the ground of parity. It is further contended that as per the prosecution version, the petitioner along with co-accused Naresh Dhanda, Rajesh @ Candy Baba, Balwinder and Paras Jain, was present at the time of alleged crime.

Learned State counsel opposes the prayer of the learned counsel for the petitioner and submits that there are specific allegations against the petitioner that he was present at the spot along with Rajesh Kandy, Balwinder, Naresh and they had snatched a cheque for Rs. 1,40,00,000/- and issued life threats to the complainant.

I have heard the learned counsel for the parties.

Co-accused Paras Jain, had been granted bail under Section 167(2) Cr.P.C., but later on offence under Section 379-B IPC was added. The earlier order of grant of concession of bail to Paras Jain, was not interfered with by the learned Additional Sessions Judge, Faridabad, while granting bail to him vide order dated 9.10.2019, after addition of offence of Section 379-B IPC, for the reason that he had not misused the concession of bail granted.

The petitioner has been specifically named in the FIR with the allegations that he was present at the spot and had actively participated in the crime committed. Moreover, as noticed in the order dated 12.01.2021 passed by the Learned Additional Sessions Judge, Faridabad, the petitioner is involved in one other case at Karnal. He cannot therefore, seek parity with co-accused Paras Jain.

In view of the above, finding no merit in the present petition, the same is hereby dismissed.

(HARNARESH SINGH GILL)
JUDGE

06.04.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No