

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(202)

CRM-M-18792-2021

Date of decision: - 26.05.2021

Preeto Devi

....Petitioner

Versus

The State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sanpreet Sandhu, Advocate
for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.
(keeping in view the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present third petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No.88 dated 12.06.2020, under Sections 489-A, 489-B, 489-C, 489-D and 201 IPC, registered at Police Station Sadhaura, District Yamuna Nagar.

Learned counsel for the petitioner argues that the concession of regular bail has already been extended to other co-accused by this Court. Learned counsel for the petitioner submits that co-accused Baljit Kaur @ Manjit has been granted the benefit of regular bail while deciding CRM-M-10392-2021 on 08.04.2021 and co-accused Sharwan Kumar has also been granted the benefit of regular bail while deciding CRM-M-17002-2021 on 30.04.2021. Learned counsel for the petitioner

further submits that the allegations alleged against the petitioner are identical with co-accused Baljit Kaur @ Manjit and therefore, on the ground of parity, petitioner be also granted the benefit of regular bail.

Notice of motion.

Ms. Rajni Gupta, Additional 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 very fairly submits that the allegations alleged against the petitioner and co-accused Baljit Kaur @ Manjit are identical and the allegations against co-accused Sharwan Kumar are different as no recovery has been effected from him.

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

Once, it is a conceded position that co-accused of the petitioner, namely, Baljit Kaur @ Manjit, against whom the similar allegations have been alleged, has been granted the benefit of regular bail, the same benefit cannot be denied to the petitioner on the ground of parity unless and until any differentiating facts between the petitioner and co-accused Baljit Kaur @ Manjit is brought to the notice of this Court. Learned State counsel has not been able to point out any differentiating facts as far as the allegations are concerned qua the petitioner and co-accused Baljit Kaur @ Manjit. That being so, once there are no differentiating facts pointed out between the petitioner and co-accused Baljit Kaur @ Manjit, petitioner becomes entitled for the concession of

regular bail as extended to co-accused Baljit Kaur @ Manjit on the basis of parity.

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

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, if not required to be detained in any other case, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

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.

May 26, 2021
naresh.k

(**HARSIMRAN SINGH SETHI**)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No