

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(205)

CRM-M-30958-2021

Date of decision: - 29.09.2021

Vipul Jain

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Navneet Singh, Advocate
for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.293 dated 26.06.2020, registered under Sections 124-A, 153-B and 120-B IPC (Sections 420, 467, 468 and 471 IPC were added later on), at Police Station Sadar, Sonipat, District Sonipat.

Learned counsel for the petitioner argues that the allegations against the petitioner that he was indulging in anti national activities are totally false and incorrect. Learned counsel for the petitioner further argues that though as per the disclosure statement of the petitioner,

certain sim cards, which were issued on the basis of fake ID's, were got recovered, but the said fact does not prove in any manner that the petitioner was indulging in the anti national activities. Learned counsel for the petitioner submits that one of the co-accused Punit has already been granted the benefit of regular bail by a Co-ordinate Bench of this Court and therefore, on the ground of parity, the petitioner is also entitled for the same.

Notice of motion.

Mr. Karan Garg, 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 submits that the allegations against the petitioner are very clear that he was indulging in anti national activities and the sim cards, which were procured by the petitioner on the basis of fake ID's along with co-accused Vikas Verma @ Mohd., were recovered from the petitioner as well as from co-accused Vikas Verma @ Mohd. clearly shows the intent of the petitioner. Learned State counsel further submits that the case of the petitioner is not at par with co-accused, namely, Punit as the allegations against the petitioner are entirely different as compared to co-accused, namely, Punit and therefore, the claim of bail on the ground of parity is not available to the petitioner.

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

Once, the allegations against the petitioner are of indulging

in anti-national activities and nothing has come on record, as to why, the sim cards were obtained on the fake IDs, which admittedly have been recovered from the petitioner and co-accused Vikas Verma @ Mohd., the petitioner is not entitled for the grant of regular bail, at this stage. Further, as learned counsel for the petitioner conceded during the arguments that the allegations against the petitioner are much more serious as compared to co-accused, namely, Punit, the petitioner cannot be granted the benefit of regular bail on the ground of parity.

Dismissed.

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.

September 29, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No