

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209)

CRM-M-41061-2021

Date of Decision : October 06, 2021

Lovejit Singh

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Talwinder Singh, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

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.110 dated 17.06.2021 registered under Sections 399 and 402 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station City Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that the co-accused, against whom the similar allegations have been alleged, have been granted the benefit of regular bail and therefore, on the basis of parity, the petitioner be also extended the said benefit. Learned counsel for the petitioner further submits that co-accused Gagandeep Singh @ Gagna and Dharmvir Singh @ Dharma have been extended the benefit of regular bail by this Court, a copy of which has been appended as Annexures P-3 and P-4 respectively alongwith the present petition and therefore, the petitioner be also extended

the benefit of regular bail.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, 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 counsel for the respondent-State, on the instructions from ASI Harbans Singh, concedes that the allegations alleged against the petitioner and the co-accused Gagandeep Singh @ Gagna and Dharmvir Singh @ Dharma, are similar in nature and they have already been extended the benefit of regular bail.

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

Once, the co-accused of the petitioner have already been extended the benefit of regular bail, the same benefit cannot be denied to the petitioner unless and until any differentiating facts are pointed out.

In the present case, learned counsel for the respondent-State has conceded before this Court that the allegations against the petitioner and the co-accused Gagandeep Singh @ Gagna and Dharmvir Singh @ Dharma are similar in nature. That being so, the petitioner has made out a case for the grant of regular bail.

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, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses

and in case of default of the above undertaking, 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, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No