

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(210)

CRM-M-41148-2021 (O&M)
Date of decision: - 06.10.2021

Naveen

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Atul Yadav, Advocate
for the petitioner.

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

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-32723-2021

Application is allowed, as prayed for.

CRM-M-41148-2021

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.101 dated 22.05.2021, registered under Sections 302, 118 and 120-B IPC and Section 25/54/59 of the Arms Act, at Police Station Sector 6, Dharuhera, District Rewari.

Learned counsel for the petitioner argues that in the present

case the petitioner has been challaned only under Section 118 IPC and not under Section 302 IPC. Learned counsel for the petitioner further argues that a similarly situated co-accused, namely, Ravi @ Sunnu, who has been challaned under Section 118 of the IPC, has already been granted the benefit of regular bail by the learned trial Court and therefore, on the ground of parity, the petitioner may kindly also be extended the benefit of regular bail.

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, on instructions from Inspector Suresh Chand, concedes that the petitioner has only been challaned under Section 118 of the IPC and the co-accused, Ravi @ Sunnu, who is a similarly situated as the present petitioner, has already been granted the regular bail by the learned trial Court.

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

Once, the petitioner has only been challaned under Section 118 of the IPC and a similarly situated co-accused, namely, Ravi @ Sunnu has already been granted the concession of regular bail by the learned trial Court, no useful purpose will be served by keeping him behind the bars any further during the trial as the trial is likely to take some time to conclude.

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.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial or the witnesses 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.

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
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No