

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(205)

CRM No. M-41229-2021

Date of Decision : 08.10.2021

Hardeep Singh @ Harry

....Petitioner

Versus

State of Punjab

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Impinder Singh Dhaliwal, Advocate for the petitioner.

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

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 110 dated 17.06.2021, registered under Sections 399, 402 IPC and Section 25/27 of Arms Act, at Police Station City Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner argues that the petitioner was falsely implicated in the present case and even otherwise, co-accused, namely, Gagandeep Singh @ Gagna and Dharamvir Singh @ Dharma against whom the similar allegations alleged, have already been granted the concession of regular bail by this Court in CRM-M-32844 of 2021 and CRM-M-32053 of 2021.

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 State counsel concedes that the allegations against the petitioner and co-accused, namely, Gagandeep Singh @ Gagna and Dharamvir Singh @ Dharma are similar in nature and they have already been extended the concession of regular bail.

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

Once, co-accused of the petitioner, namely, Gagandeep Singh @ Gagna and Dharamvir Singh @ Dharma, against whom the allegations in the FIR are identical to that against the petitioner and they have been extended the benefit of regular bail, the petitioner has made out a case for extending the concession of regular bail to him as learned State counsel has not been able to point out any differentiating facts between the petitioner and the co-accused, who have been extended the benefit of regular bail.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial in any manner and will maintain good conduct, if he is granted bail. In case of default of the undertaking, the 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 08, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No