

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-48501-2021

Date of Decision : 25.11.2021

Sandeep

...Petitioner

Versus

State of Haryana

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Rana Ghuman, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana
assisted by S.I., Rajendra Prasad.

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 respect of FIR No. 0171 dated 29.07.2021 registered under Sections 147, 148, 149, 324 and 506 of the IPC (Section 307 of the IPC added later on) at Police Station Sadar Ratia, District Fatehabad.

Learned counsel for the petitioner argues that a co-accused namely, Jagtar Ram @ Jagtar Singh, against whom similar allegations have been alleged, has already been extended the benefit of anticipatory bail by this Court while passing order in CRM-M-37626-2021 on 10.09.2021.

Learned counsel for the petitioner further argues that the other co-accused namely, Gurpreet Singh, against whom allegations of inflicting injuries are

there, due to which, Section 307 of the IPC has been added, has also been granted the benefit of anticipatory bail by a Coordinate Bench of this Court while passing order in CRM-M-44044-2021 on 21.10.2021 and, therefore, on the ground of parity, the petitioner is also entitled for the grant of benefit of regular bail.

Learned State counsel on instructions from S.I. Rajendra Prasad concedes that the allegations alleged against the petitioner as well as co-accused Jagtar Ram @ Jagtar Singh are similar in nature and the said co-accused has already been granted the benefit of anticipatory bail by this Court vide order dated 10.09.2021. passed in CRM-M-37626-2021. Learned State counsel also concedes the fact that the other co-accused namely, Gurpreet Singh, against whom allegations of inflicting injuries are there, due to which, Section 307 of the IPC has been added, has also been granted the benefit of anticipatory bail by a Coordinate Bench of this Court while passing order in CRM-M-44044-2021 on 21.10.2021

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

Once, a co-accused, against whom, the allegations are similar as alleged against the petitioner and the said co-accused has already been granted the benefit of anticipatory bail by this Court while passing order in CRM-M-37626-2021 on 10.09.2021 and no factual aspect has been brought to the notice of this Court, which will distinguish the case of the petitioner with the said co-accused, the petitioner has made out a case for the grant of benefit of regular bail on the ground of parity, especially, when learned counsel for the petitioner undertakes that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded, in

any manner and in case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of 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.

November 25, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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