

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-48345-2021

Date of Decision : 25.11.2021

Kuldeep Singh @ Rahul

...Petitioner

Versus

State of Haryana

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vineet Chaudhary, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana
assisted by S.I., Surinder Pal.

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. 0034 dated 27.01.2021 registered under Sections 395 and 397 of the IPC at Police Station Chandimandir, District Panchkula.

Learned counsel for the petitioner argues that a co-accused namely, Kuldeep Singh @ Radhe, against whom similar allegations have been alleged, has already been extended the benefit of regular bail by this Court while deciding CRM-M-28793-2021 on 09.11.2021 and, therefore, on the ground of parity, the petitioner is also entitled for the said benefit.

Learned State counsel on instructions from S.I. Surinder Pal concedes that the allegations alleged against the petitioner as well as co-accused Kuldeep Singh @ Radhe are similar in nature and the said co-

accused has already been granted the benefit of regular bail by this Court vide order dated 09.11.2021 passed in CRM-M-28793-2021.

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 regular bail by this Court while deciding CRM-M-28793-2021 on 09.11.2021 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