

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(230)

CRM No. M- 2124 of 2022

Date of Decision : 24.01.2022

Harish Nandal

....Petitioner

Versus

State of Haryana

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jasbir Mor, Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.

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. 206, dated 11.08.2021, registered under Sections 148, 149, 323, 307, 452, 397, 201, 120-B, 427, 506 IPC at Police Station Rohtak Civil Lines, Rohtak, District Rohtak.

Learned counsel for the petitioner argues that the petitioner has done no wrong and rather has been implicated at the asking of the complainant. Learned counsel for the petitioner submits that the complainant has already compromised the dispute with one of the co-accused, namely, Lakshay, against whom also similar allegations have been alleged as alleged against the petitioner and on the basis of the said compromise, he has already been extended the benefit of regular bail by this

Court while passing order in CRM No. M-1084 of 2022.

Notice of motion.

Mr. Karan Garg, learned 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 concedes the factum that the allegations against the petitioner and co-accused, namely, Lakshay, who has been extended the benefit of regular bail, are similar in nature except that a stick has been recovered from the petitioner.

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

Keeping in view the fact that a co-accused, against whom, similar allegations have been alleged, has already been extended the benefit of regular bail, the same benefit cannot be denied to the petitioner unless and until the facts differentiating between the petitioner and said co-accused are brought to the notice of this Court. Nothing has been brought to the notice of this Court so as to differentiate the case of the petitioner with that of co-accused, namely, Lakshay with regard to the allegations alleged, who has been extended the benefit of regular bail, therefore, petitioner has made out a case for the grant of regular bail on the ground of parity.

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.

January 24, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No