

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(231)

CRM No. M-2709-2022

Date of Decision : 28.01.2022

Sandeep @ DC

...Petitioner

Versus

State of Haryana

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Lalit Kumar, Advocate for the petitioner.

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

Harsimran Singh Sethi J. (Oral)

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. 614 dated 17.11.2019 registered under Sections 148, 149 and 307 of the IPC, 1860 and Section 25 of the Arms Act, 1959 at Police Station Meham, District Rohtak.

Learned counsel for the petitioner argues that the other co-accused, who are similarly situated as the petitioner, have already been extended the concession of regular bail while passing order in CRM-M-28875-2020 titled as Mohit @ Boxer versus State of Haryana, CRM-M-28921-2020 titled as Parveen @ Faleming @ Bholu versus State of Haryana and CRM-M-21837-2021 titled as Chand versus State of Haryana. Learned

counsel for the petitioner submits that once the similarly situated co-accused

have already been extended the benefit of bail, the petitioner may also be extended the same benefit on the ground of parity.

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 counsel for the respondent-State, on the instructions from SI Surender, concedes the factum that the petitioner is similarly situated as co-accused Mohit @ Boxer, Parveen @ Faleming @ Bholu and Chand with regard to the allegations alleged.

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

Keeping in view the fact that the similarly situated co-accused, the details of whom have been given in preceding paragraph, have already been extended the concession of regular bail and no differentiating fact between the said co-accused and the petitioner has been brought to the notice of this Court to deny the petitioner the benefit of regular bail on the ground of parity, the petitioner has made out a case for the grant of regular bail.

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, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that 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 28, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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