

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(222)

CRM-M-3174-2022

Date of Decision : February 02, 2022

Mukhtiar Singh @ Lucky and another

.. Petitioners

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Priyavrat Parashar, Advocate, for the petitioners.

Mr. Karan Garg, Assistant Advocate General, Haryana.

Mr. Neeraj Goel, Advocate, for the complainant.  
(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.45 dated 08.03.2016 registered under Sections 148, 149, 395, 436 and 506 of the Indian Penal Code, 1860 at Police Station Kalayat, Kaithal, Haryana.

Learned counsel for the petitioners submits that similarly situated co-accused namely Pawan, Kuldeep and Jora Singh have already been extended the benefit of regular bail by this Court while deciding CRM-M-15418-2021, CRM-M-15411-2021 and CRM-M-43301-2021 on 09.04.2021, 20.04.2021 and 27.10.2021 respectively. Learned counsel for the petitioners further submits that the parties have already compromised

their dispute in order to live peacefully and therefore, keeping in view the facts and circumstances of this case and by applying the parity rule, the petitioners may kindly be extended the concession of regular bail.

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. Mr. Neeraj Goel, Advocate, who has also joined the proceedings through video conference, accepts notice on behalf of the complainant.

Learned counsel for the respondent-State, on the instructions from ASI Ujjwal and SI Jagdish concedes the factum that the similarly situated co-accused, the details of whom have been given hereinbefore, have already been extended the concession of regular bail and the petitioners are similarly situated as the other co-accused qua the allegations alleged.

Learned counsel for the complainant concedes the factum that the parties have already compromised their dispute and submits that he has no objection in case, the prayer of the petitioners for the grant of regular bail is accepted.

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 the parties have already compromised their dispute coupled with the fact that similarly situated co-accused namely Pawan, Kuldeep and Jora Singh have already been extended the benefit of regular bail, the petitioners have made out a case for the grant

of regular bail on the ground of parity as no fact differentiating the case of the petitioners with that of co-accused to whom the concession of regular bail has already been extended, has been pointed out.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioners be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioners undertakes that petitioners will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, 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.

**February 02, 2022**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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