

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

CRM-M-4670-2022

Date of Decision :10.02.2022

Vicky and another

...Petitioners

Versus

State of Haryana

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Govind Chauhan, Advocate for the petitioners.

Mr. Karan Garg, AAG, 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 petitioners in respect of FIR No.425 dated 01.10.2021 registered under Section 379-A of the IPC (later on substituted by Sections 395 and 411 of the IPC) at Police Station Taraori, District Karnal

Learned counsel for the petitioners argues that the petitioners have falsely been implicated in the present FIR and even otherwise, the allegations alleged against the petitioners are yet to be proved during the trial. Learned counsel for the petitioners submits that the co-accused of the petitioners namely, Ram Lal and Pardeep, who are similarly situated as petitioners as far as the allegations are concerned, have already been granted

the concession of regular bail by this Court while passing order in CRM-M-3715-2022 on 04.02.2022 and, therefore, on the ground of parity, the petitioners may kindly be granted the benefit of regular bail.

Learned State counsel concedes the factum that the petitioners and the other co-accused namely, Ram Lal and Pardeep are similarly situated as far as the allegations are concerned and the said co-accused have already been granted concession of regular bail by this Court while passing order in CRM-M-3715-2022 on 04.02.2022.

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 have already been granted concession of regular bail by this Court while passing order in CRM-M-3715-2022 on 04.02.2022 and no differentiating fact between the petitioners and the said accused, has been brought to the notice of this Court, the petitioners have made out a case for the grant of benefit of regular bail on the ground of parity, especially, when learned counsel for the petitioners has undertaken before this Court that the petitioners will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded in any manner. 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 petitioners 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.

February 10, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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