

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(224)

CRM No. M-6327 of 2022
Date of Decision : 22.02.2022

Ramsurat Patel @ Ramasurat Patel

....Petitioner

Versus

State of U.T., Chandigarh

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Varun Katyal, Advocate for the petitioner.

Mr. Akashdeep Singh, Addl. P.P. for U.T., Chandigarh.
(keeping in view advance copy given)

Mr. Gaurav Dutta, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for the grant of regular bail in FIR No. 142 dated 16.09.2021, registered under Sections 387, 507, 120-B IPC (Sections 466, 467, 468, 471 IPC added later on) at Police Station Central Sector-17, Chandigarh.

Learned counsel for the petitioner argues that the allegations alleged against the petitioner are false, which fact will be proved during the trial. Learned counsel for the petitioner submits that co-accused, namely, Shambhu Patel, against whom similar allegations have been alleged, has

Bench of this Court while passing order in CRM No. M-46548 of 2021 on 05.01.2022 and, therefore, the petitioner, who is similarly situated as co-accused, Shambhu Patel, may also be extended the concessiion of regular bail.

Notice of motion.

Mr. Akashdeep Singh, learned Additional P.P., U.T. Chandigarh, 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-U.T.

Mr. Gaurav Dutta, Advocate, who has also joined the proceedings through video conference, appears on behalf of the complainant.

Learned counsel appearing on behalf of U.T., Chandigarh does not dispute the fact that the allegations against the petitioner and co-accused Shambhu Patel are identical in nature and a co-ordinate bench of this Court has already extended the concession of regular bail to the said co-accused, Shambhu Patel while passing order in CRM No. M-46548 of 2021, on 05.01.2022.

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

Keeping in view the facts and circumstances of this case, where learned State counsel has conceded that the allegations alleged against the petitioner as well as co-accused, Shambhu Patel are identical in nature and the said co-accused Shambhu Patel has already been extended the concession of regular bail by a co-ordinate bench of this Court while

passing order in CRM No. M-46548 of 2021, on 05.01.2022, the petitioner has also made out a case for the grant of regular bail on the ground of parity, especially, when no differentiating facts between the petitioner and the co-accused, namely, Shambhu Patel, have been brought to the notice of this Court so as to deny the said benefit coupled with the fact that the trial is likely to take some time before the same concludes keeping in view the restricted working of the Courts due to pandemic of Covid-19 and no useful purpose will be achieved in keeping the petitioner behind bars during the entire period of trial as learned counsel for the petitioner has assured this Court that in case the concession of regular bail is extended to the petitioner, he will not misuse the same by influencing the trial or the witnesses in any manner.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned including the feasibility of a local surety to secure his presence.

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 22, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No