

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 9470 of 2022
Date of Decision: 13.7.2022

Ram Kishan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Ketan Antil, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 439 Cr.P.C., seeking the indulgence of regular bail, to the petitioner.

2. In FIR bearing No. 0534 of 22.12.2021, registered at Police Station Sonipat Sadar, District Sonipat, an offence constituted under Section 306 of the IPC, is embodied.

3. Since in respect of the petition FIR, and, also in respect of the co-accused, this Court, through an order made on 19.5.2022, upon CRM-M-10972-2022, had accorded to the petitioner therein, the craved for indulgence of anticipatory bail. Thereupon, when the prosecution, at this stage, did not allege that the incriminatory role, as assigned to the present petitioner, is more heinous, or graver than the one, as became assigned to the petitioner, in the petition (supra), therefore, parity of treatment has to be accorded to the present petitioner rather along with the co-accused concerned. Moreso, when, at this stage, no evidence has been adduced by the prosecution, suggestive of the fact, that in the event of the bail petitioner being enlarged on regular bail, there is every likelihood of his fleeing from justice, and/or, tampering with prosecution evidence.

4. Consequently, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody, if not required in any other case. However, the granting of bail to the bail applicant-petitioner, is subject to his furnishing personal and surety bonds in the sum of Rs. 50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the trial Court concerned, as and when directed to make his personal appearance.

5. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

July 13, 2022
Gurpreet

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