

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-15303-2022
Date of Decision: 21.04.2022**

Lakhan @ Viraj

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jatin Sharma, Advocate, for
Mr. Abhimanyu Singh, Advocate,
for the petitioner.

Mr. Raman Kumar Sharma, Additional A.G., Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking regular bail in FIR No.282, dated 17.08.2021, under Sections 379-A and 34 of the IPC (Section 384 of IPC added later on), registered at Police Station Sadar Fatehabad, District Fatehabad.

Learned counsel for the petitioner argues that in the present case, the petitioner is behind the bars since 21.08.2021 and the co-accused, namely Anil Kumar, has already been extended the concession of regular bail by this Court while passing order dated 25.03.2022 in CRM-M-11865-2022. Learned counsel for the petitioner submits that keeping in view the above as well as the facts that the complainant in the present case has

already been examined and the trial is likely to take some time before it

concludes and even the allegations, which are being alleged against the petitioner, are yet to be proved during the trial, he may kindly be extended the concession of regular bail on the ground of parity with the co-accused, namely Anil Kumar.

Learned State counsel concedes the factum that the complainant in the present case has already been examined as well as the co-accused, namely Anil Kumar, who is also facing similar allegations, has also been extended the concession of regular bail by this Court while passing order dated 25.03.2022 in CRM-M-11865-2021.

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

Keeping in view the undisputed facts that the material witnesses have already been examined in the present case and the petitioner is behind the bars since 21.08.2021, and also the fact that the similarly situated co-accused, namely Anil Kumar, has already been extended the concession of regular bail, the petitioner has made out a case for the grant of regular bail on the ground of parity as well as for the reason that the trial is likely to take some time before it concludes and no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial, especially in view of the fact that learned counsel for the petitioner has undertaken before this Court that in case the petitioner is extended the concession of regular bail, he will maintain good conduct and will not influence the trial or any witnesses in any manner.

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.

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.

21.04.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

1. Whether speaking/reasoned : Yes
2. Whether reportable : No