

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

CRM-M-17882-2022

Date of Decision:-05.05.2022

Ankit

...Petitioner

Versus

State of Haryana

...Respondent

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

Present:- Mr. Himanshu Gupta, Advocate
for the petitioner.

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

HARSIMRAN SINGH SETHI J.(Oral)

The present petition has been filed for grant of regular bail to the petitioner in case FIR No.244 dated 31.5.2019, under Sections 148, 149, 302 and 341 IPC (Sections 120-B IPC and Section 25 of Arms Act, 1959 added later on), registered at Police Station Kaithal City, District Kaithal, Haryana.

Learned counsel for the petitioner argues that the petitioner was not named in the FIR and has only been involved on the basis of disclosure statement of co-accused Sandeep @ Sunny. Learned counsel for the petitioner further submits that the said co-accused Sandeep @ Sunny has already been extended the concession of regular bail by this Court while passing the order in CRM-M-11305 of 2022 on 24.03.2022 and therefore as

the petitioner is similarly situated as Sandeep @ Sunny keeping in view the allegations alleged, the petitioner be also extended the concession of regular bail, especially when the only allegation alleged upon the petitioner is of inflicting fist blows upon the deceased.

Learned State counsel submits that as per the 'pairvi' report supplied to him, the petitioner has only been attributed with fist blows and concedes that the allegations against the petitioner and co-accused Sandeep @ Sunny are similar in nature as well as the fact that the co-accused Sandeep @Sunny, on whose discolsure statement the petitioner was involved in the present case, has already been extended the concession of regular bail.

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, especially when as per the allegations only infliction of fist blows upon the deceased has been attributed to the petitioner, which are non-fatal coupled with the fact that the petitioner was not named in the FIR and was only roped in on the basis of disclosure statement of co-accused Sandeep @ Sunny, which co-accused has already been extended the concession of regular bail by this Court, the petitioner has made out a case for the grant of regular bail on the ground of parity as no differentiating facts have been brought on record against the petitioner vis-a-vis the co-accused Sandeep @ Sunny so as to controvert the claim of the petitioner for the grant of regular bail on the ground of parity.

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.

May 05, 2022
Vijay Asija

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No