

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

CRM-M-18628 of 2022 (O&M)

DECIDED ON: 2nd June, 2022

Yug Dutt

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Neeraj Sharma, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

This petition is filed seeking regular bail in case of FIR No.107 dated 13.4.2021, under Sections 406, 420, 506, 120-B IPC, 1860, registered at Police Station Sector 17, HUDA, Jagadhari.

Learned counsel for the petitioner seeks parity of the petitioner with co-accused-Gaurav for grant of bail. The order dated 16.3.2022, granting anticipatory bail to co-accused-Gaurav is reproduced below:

"The instant petition has been filed under Section 438 Cr.P.C. seeking grant of anticipatory bail in case FIR No.107 dated 13.04.2021, registered under Sections 406, 420 and 506 IPC at Police Station Sector 17, HUDA Jagadhri, District Yamunanagar.

Vide order dated 22.12.2021, the petitioner was granted interim bail subject to the condition that he will deposit a draft of Rs.1 Lakh in the name of complainant before learned trial Court/Chief Judicial Magistrate/Duty Magistrate.

Learned counsel appearing on behalf of the petitioner submits that compliance of the previous order dated 22.12.2021 has been done.

Upon instructions from SI Jaswant Singh, learned State counsel submits that in compliance of the aforesaid orders, the petitioner has joined the investigation and his custodial interrogation is not required.

Having considered the facts and circumstances of the case, order dated 22.12.2021 passed by this Court is made absolute, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Accordingly, the petition stands disposed of."

Learned counsel for the petitioner has produced photocopy of receipt of deposit of Rs.1,00,000/- with Judicial Magistrate 1st Class, Jagadhari.

Learned State counsel on instructions though opposes the prayer but he is not in a position to distinguish the case of the petitioner viz-a-viz co-accused Gaurav so far as granted of bail is concerned.

On the basis of parity with the co-accused and considering that conclusion of trial is likely to take time, the petitioner is granted bail subject to furnishing personal bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The amount deposited shall be subject to out come of the trial and would be kept in FDR in a nationalised bank. In case of failure of the petitioner to appear in the Court as and when required, the amount shall be liable to be forfeited.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

2nd June, 2022

reema

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*