

206

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

CRM-M-43998-2021

Date of Decision: 04.03.2022

Ajay Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kuldip Singh, Advocate, for
Ms. Amandeep Kaur, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking regular bail in FIR No.6, dated 28.01.2020, under Sections 399 & 402 of the IPC and Section 25 of the Arms Act, registered at Police Station Sadar Abohar, District Fazilka.

Learned counsel for the petitioner argues that in the present FIR, there are total five accused, out of whom, three co-accused persons, namely Lakhwinder Singh @ Lucky, Sunil Kumar and Ajay Singh, have already been extended the concession of regular bail, while passing orders in CRM-M-17756-2020, CRM-M-13125-2020 and CRM-M-52861-2021, respectively, and as the petitioner is similarly situated as the said co-accused in respect of the allegations alleged in the present FIR, therefore, he may kindly be extended the concession of regular bail on the ground of parity, especially in view of the fact that the trial is likely to take some time to conclude due to the restrictive working of the Courts in view of Covid-19 pandemic.

Learned State counsel concedes the factum that three co-

accused involved in the present FIR have already been extended the concession of regular bail and the allegations alleged against the petitioner and the said co-accused are similar in nature.

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, wherein out of the total five accused, three accused have already been extended the concession of regular bail and the allegations alleged in the present FIR against those co-accused are similar to that of the petitioner, the petitioner has made out a case for grant of regular bail on the ground of parity itself, coupled with the fact that the trial is likely to take some time to conclude due to the restrictive working of the Courts in view of Covid-19 pandemic, and especially in view of the fact that learned counsel for the petitioner has undertaken before this Court that the petitioner will maintain good conduct and will not influence the trial or the witnesses in any manner, in case his prayer for the grant of regular bail is accepted.

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.

04.03.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

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