

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.208

CRM-M-5003-2023 (O&M)

Date of decision :06.02.2023

Aaftab

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Wazir Singh, Advocate, for the petitioner.

Mr. Himmat Singh, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

This petition has been filed for grant of regular bail in case FIR No.548 dated 07.08.2021, registered at Police Station Old Industrial, Panipat, under Sections 302, 365 & 34 IPC (Section 365 IPC added later on).

Learned counsel for the petitioner submits that identically situated co-accused, namely, Sumit has been granted regular bail by this Court vide order dated 24.01.2023 (Annexure P-3). The trial is not likely to be concluded at an early date as only 04 PWs out of a total of 17 PWs have been examined till date. The petitioner does not have any criminal antecedents and thus, he may be granted regular bail.

Custody certificate dated 02.02.2023 digitally signed by Smt. Geeta Rani, Deputy Superintendent, District Prison, Haryana, has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 01 year, 05 months and 15 days and there is one other criminal case under Sections 323, 34 & 506 IPC pending against him in which he is on bail.

Learned State counsel concedes that only 04 PWs out of a total of 17 PWs have been examined till date and that identically situated co-accused, namely, Sumit has been granted regular bail by this Court vide order dated 24.01.2023 passed in CRM-M-2819-2023.

Keeping in view the principle of parity as well as the fact that the trial is not likely to be concluded at an early date, I deem it appropriate to grant regular bail to the petitioner as well. The petition is allowed and it is directed that the petitioner be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

06.02.2023
Ramandeep Singh

Whether speaking / reasoned

Yes

Whether Reportable

No