

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

226

CRM-M-26869-2023

Date of Decision :-13.07.2023

Naresh Kumar @ Mulla

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ravi Malhotra, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

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Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.121 dated 20.12.2022 registered under Sections 379-B (2) and 34 of the IPC at Police Station Division No.1, District Ludhiana.

Learned counsel for the petitioner submits that in the present case, the investigation has been completed and challan has also been presented but as the charges are yet to be framed, the trial is likely to take some time before it concludes hence, the petitioner may kindly be extended the concession of regular bail especially, when the co-accused of the petitioner has already been granted the concession of regular bail by the Court below vide order dated 08.02.2023.

Learned State counsel does not dispute the factual assertion recorded hereinbefore.

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

Once, the co-accused of the petitioner against whom similar allegations were alleged, has already been granted the concession of regular bail, on the basis of parity, the petitioner is also entitled for the grant of same relief especially, when learned State counsel has not been able to point out any differentiating fact between the petitioner and the said co-accused so as to deny him the benefit of regular bail.

Keeping in view the facts and circumstances of the present case especially, when learned counsel for the petitioner has undertaken before this Court that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded in any manner and in case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders, the petitioner has made out a case for the grant of benefit of regular bail.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of 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.

July 13, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No