

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-45429-2023
Date of Decision.:30.10.2023

Sushil @ Shillu
Vs.
State of Haryana

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mohit, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.56 dated 21.03.2021 registered under Sections 398, 401 of the IPC, 1860 and Section 25 of the Arms Act, 1959 registered at Police Station Bhuna, District Fatehabad.

2. At the outset, learned counsel for the petitioner submits that similarly placed co-accused Aman has already been allowed bail by a co-ordinate Bench of this Court vide order dated 31.07.2023 passed in CRM-M-12414-2023 (Annexure P-2). Learned counsel for the petitioner submits that case of the petitioner is on same footing; that petitioner is in custody for the last 02 years 07 months and 06 days; that trial may take time to conclude and so, he be allowed bail.

3. Custody certificate has been placed on record by learned State counsel. Although status report has not been filed on behalf of respondent-

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State, but on instructions from ASI Satish Kumar, learned State counsel has made a statement that case of the petitioner is on parity with co-accused Aman, who was allowed bail by a co-ordinate Bench of this Court vide order dated 31.07.2023 passed in CRM-M-12414-2023 (Annexure P-2).

4. As per the custody certificate, petitioner is in custody for the last 02 years 07 months and 06 days, though involved in other cases also.

5. Having regard to the above facts and circumstances, particularly on the ground of parity, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

October 30, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No