

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**214**

CRM-M-54532-2022

Date of Decision: 11.05.2023

Manoj Kumar

.... Petitioner

Versus

State of Haryana

.... Respondent

**CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: - Mr. Munish Mittal, Advocate for the petitioner.

Mr. Munish Sharma, DAG, Haryana.

**ASHOK KUMAR VERMA, J. (ORAL)**

1. The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 0276 dated 24.03.2019 registered under Sections 148, 149, 307, 323, 452 and 506 IPC (Section 302 IPC was added later on) at Police Station City, District Karnal.

2. Learned counsel for the petitioner, *inter alia*, contends that six of the co-accused, who faced full length trial in the present FIR, stand acquitted by the Additional Sessions Judge-cum-Fast Track Special Court (POCSO), Karnal, vide judgment dated 15.04.2021 (Annexure P-7). He further contends that the allegations against the petitioner are identical to that of aforesaid co-accused, who stand acquitted and there are remote chances of the conviction of the petitioner. Petitioner had surrendered before the trial Court on 15.10.2022 and since then he is in custody. The trial is likely to take long

time. No useful purpose will be served by further detention of the petitioner in custody. Similarly situated co-accused of the petitioner, namely; Mukesh, had already been granted the concession of regular bail vide order dated 05.04.2022, passed by a co-ordinate Bench of this Court in CRM-M-36305-2021. Thus, it is prayed that treating the case of the petitioner on the same parity as that of his co-accused, he may also be released on regular bail.

3. On the other hand, learned State counsel vehemently opposed the present petition.

4. I have heard learned counsel for the parties and carefully gone through the record.

5. Keeping in view the facts and circumstances of the case and treating the case of the petitioner on the same parity as that of his co-accused, namely, Mukesh who had already been enlarged on bail by a co-ordinate this Court vide order dated 05.04.2022, but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

6. Therefore, the petition is allowed and petitioner-Manoj Kumar, is ordered to be released on regular bail on furnishing of bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

**11.05.2023**  
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**(ASHOK KUMAR VERMA)**  
**JUDGE**

**Whether speaking/reasoned**

**Yes/No**

**Whether Reportable**

**Yes/No**