

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

206

CRM-M-54261-2023
Date of Decision :-06.11.2023

**Sabjot Singh @ Sarbjot Singh @ Sunny
@ Sarabhjot Singh**

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Pradeep Sharma, Advocate for the petitioner.

Mr. Rohit Ahuja, DAG, Punjab.

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Harsimran Singh Sethi, J. (Oral)

1. 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.0164 dated 02.10.2022 registered under Sections 222, 224, 225-A, 120-B of the IPC (Sections 212 and 216 of the IPC added later on) and Sections 25, 54, 59 of the Arms Act at Police Station City-I, Mansa, District Mansa.

2. Learned counsel for the petitioner submits that the similarly situated co-accused namely, Bittu, who is brother of the main accused Deepak @ Tinu has already been granted concession of regular bail by this Court while passing order in CRM-M-49138-2023 decided on 04.10.2023 (Annexure P/3) and even the other co-accused have been granted concession

of regular bail, which fact is clear from the orders attached as Annexures P/4 to P/7 hence, on the ground of parity, the petitioner may also be granted concession of regular bail.

3. Learned State counsel does not dispute the fact that the co-accused Bittu, who is a brother of the Deepak @ Tinu, who is the main accused with regard to fleeing from the police custody, has already been granted concession of regular bail by this Court while passing order in CRM-M-49138-2023 decided on 04.10.2023 and the petitioner is similarly situated to the said co-accused. It is also conceded that similarly situated other co-accused have also been granted the benefit of regular bail.

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

5. Once, the similarly situated co-accused against whom the allegations are of harbouring the main accused Deepak @ Tinu has already been extended concession of regular bail by this Court, which fact is not disputed by the learned State counsel and no differentiating fact between the case of petitioner and that of said co-accused, has been brought to the notice of this Court, on the ground of parity, the petitioner has made out a case for the grant of benefit of regular bail, 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. In case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

6. 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.

7. 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.

November 06, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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