

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No. 218

CRM-M No.55341 of 2023

Date of Decision: 09.11.2023

Lokendra Jhala

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Balraj Gujjar, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, D.A.G., Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.196 dated 28.05.2022, under Sections 34, 341, 395, 365, 392 & 120-B of the IPC, registered at Police Station Kasola, District Rewari.

Learned counsel for the petitioner submitted that the petitioner is in custody since 14.01.2023 and although the material witnesses have been examined but the trial may take long time. He also submitted that the petitioner is not involved in any other case and he has clean antecedents. He further submitted that the petitioner is at parity with other co-accused namely Radheshyam Hada and Rohit Hadda, who have already been granted bail by this Court vide Annexure P-7. The co-accused Deepak was granted bail by this Court vide order dated 06.11.2023 passed in CRM-M-54410-2023. Therefore, the petitioner being exactly at parity with the aforesaid co-accused may be considered for grant of regular bail.

On the other hand, learned State counsel has not disputed the factual position of parity with the co-accused and custody of the petitioner.

I have heard learned counsel for the parties.

The petitioner is in custody since 14.01.2023 and the material witnesses have already been examined. The petitioner is stated to be at parity with the aforesaid co-accused, namely, Radheshyam Hada, Rohit Hadda and Deepak, who have already been extended the benefit of regular bail by this Court. Furthermore, it is not the case of the learned State counsel that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

Therefore, considering the aforesaid totality and circumstances of the present case, this Court deems it fit and proper to grant concession of regular bail to the petitioner especially on the ground of custody and parity.

Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

09.11.2023

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**(JASGURPREET SINGH PURI)
JUDGE**

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