

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

204

CRM-M-57581-2023 (O&M)
Decided on :21.11.2023

Deepak Kumar

. . .Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Bhupender Singh, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

In the present petition, the prayer of the petitioner is for the grant of regular bail in respect of FIR No. 360 dated 08.08.2022 registered under Sections 148, 149 and 307 of the Indian Penal Code, 1860 (Sections 323, 506, 326 and 201 of the Indian Penal Code, 1860 were added later on) at Police Station Tararori, District Karnal.

Learned counsel for the petitioner submits that the present FIR has been lodged against three accused, and two co-accused of the petitioner namely, Rahul Kumar and Sharwan Kumar against whom the serious allegations have been levelled had already been granted the concession of regular bail by the Co-ordinate Bench of this Court vide order dated

07.11.2023 passed in CRM-M-46008-2023 and CRM-M-46666-2023, respectively.

Learned counsel for the petitioner further submits that once the co-accused of the petitioner, namely, Rahul Kumar and Sharwan Kumar had already been extended the concession of regular bail by the Co-ordinate Bench of this Court, on the ground of parity, the petitioner, against whom the less serious allegations have been alleged, is also entitled for the grant of concession of regular bail. Hence, the petitioner may kindly be granted the concession of regular bail.

Per contra, learned State counsel concedes the factum that the serious allegations have been alleged against the co-accused of the petitioner, namely, Rahul Kumar and Sharwan Kumar as compared to the petitioner and learned State counsel also conceded the fact that vide order dated 07.11.2023, the Co-ordinate Bench of this Court has already extended the concession of regular bail to the said two co-accused.

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

Keeping in view the fact that out of the three accused (including the petitioner), two accused, namely, Rahul Kumar and Sharwan Kumar have already been extended the concession of regular bail by the co-ordinate bench of this Court and nothing has been brought to the notice of this Court to distinguish or to plead that the allegations levelled against the petitioner are more serious as compared to the other two co-accused, who have been extended the concession of regular bail, hence, on the ground of parity, the petitioner is also become entitled for the grant of regular bail. The grounds on the basis of which, the regular bail is extended to the co-accused of the petitioner, namely, Rahul Kumar and Sharwan Kumar, are also applicable in

the case of the petitioner as well. Hence, on the ground of parity, the prayer of the petitioner for the grant of regular bail is also accepted. Accordingly, 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.

(HARSIMRAN SINGH SETHI)
JUDGE

21.11.2023

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Whether speaking/reasoned: Yes/~~No~~
Whether Reportable: Yes/~~No~~