



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

**CRM-M-12035-2025**

Date of Decision: 29.04.2025

Kailash Kumar @ Kelash

..... Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Anmol Prashar, Advocate for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

**Rajesh Bhardwaj, J. (ORAL)**

1.                    Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.16 dated 22.03.2024, under Sections 457, 380, IPC (Sections 120-B, 201 IPC added lateron) registered at Police Station Sadar Rupnagar, District Rupnagar.

2.                    Succinctly facts of the case are that on 18.03.2024, complainant Sukhwinder Singh, Chief Chemist, Guru Gobind Singh Super Thermal Plant (in short GGSSTP), Rupnagar, moved a complaint averring therein that on 18.03.2024, at about 09:00 a.m., when the officials of the coal laboratory of the plant reached office, they found that the locks of the main doors of the laboratory and strong room were broken and 16 referral samples of M/s. MDCWL, which were kept in the locked almirah of strong room were also found damaged. It was alleged by the complainant in his complaint that an attempt was made to tamper the 6 samples and CCTV equipment containing the recordings was also stolen. On the basis of the complaint, the FIR was registered and the investigation commenced. During the investigation, the complicity of the petitioner was established and he was arrested on 05.05.2024. The petitioner has approached the Court of learned Additional



Sessions Judge, Rupnagar praying for grant of bail. However, after hearing counsel for both the sides, learned Court declined the same vide order dated 13.11.2024. Hence, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Varun Singh, Arvind Kumar, Pushpinder Kumar Pandey and Piyush Kumar. He has drawn the attention of this Court to the orders dated 12.09.2024, 11.11.2024, 20.11.2024 and 27.11.2024 passed in **CRM-M-30515-2024**, **CRM-M-54419-2024**, **CRM-M-56569-2024** and **CRM-58327-2024**, whereby, co-accused Varun Singh, Arvind Kumar, Pushpinder Kumar Pandey and Piyush Kumar have been granted regular bail by this Court, respectively. He has submitted that the case of the petitioner is at par with the said co-accused. He submits that the petitioner is in custody since 05.05.2024. He submits that though the petitioner is involved in two other cases, however, he is on bail in those cases. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who have already been granted bail.

4. Learned State counsel has placed on record the status report by way of affidavit of Rajpal Singh Gill, PPS, Deputy Superintendent of Police, Rupnagar, District Rupnagar. He has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Varun Singh, Arvind Kumar, Pushpinder Kumar Pandey and Piyush Kumar. He has



submitted that out of total 14 prosecution witnesses, 09 witnesses have been examined. He submits that the petitioner is involved in two other cases.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 05.05.2024. Co-accused, namely, Varun Singh, Arvind Kumar, Pushpinder Kumar Pandey and Piyush Kumar are on bail and the case of the petitioner as stated is at par with him. Out of total 14 prosecution witnesses, 09 witnesses have been examined. Though the petitioner is involved in two other cases, however, he is on bail in those cases.

6. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

**(RAJESH BHARDWAJ)**  
**JUDGE**

**29.04.2025**

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Whether Speaking/Reasoned : Yes/No  
Whether Reportable : Yes/No