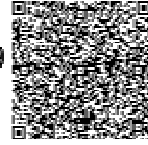


2025:PHHC:112409



[249] IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-45219-2025  
Date of Decision : 25.08.2025

Mastram ...Petitioner

**versus**

State of Haryana ....Respondent

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

Present: Mr. S.K. Tripathi, Advocate  
for the petitioner.

Ms. Diya Sodhi, Senior DAG, Haryana.

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**RAJESH BHARDWAJ, J. (ORAL)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.484 dated 24.12.2022, under Sections 148, 149, 302, 323 & 34 of IPC and Section 25 of Arms Act, registered at Police Station Sector-14, Panchkula, District Panchkula, Haryana.

2. Succinctly the facts of the case are that the present FIR was got registered on the statement of complainant, namely, Divyanshu. It was alleged that on 24.12.2022 at about 5:00/5:30 PM, he along with Rishab and Mukesh @ Munna (deceased) were coming from vegetable market, Budhanpur. On the way, they met 10/12 boys, wherein Santram @ Santu was holding knife and Mastu (present petitioner) was holding baseball bat. Raju and Rahul were holding bats and sticks in their hands and Golu, Rahul, Deepak, Joginder etc.

were holding bricks and stones. Due to enmity between both the sides, they opened attacked on them. Mukesh @ Munna was caught hold and Santram @ Santu gave 4/5 knife blows on the body of Mukesh @ Munna and Mastu (petitioner) inflicted injuries with base ball bat, Rahul, Raju, Golu and others started pelting bricks and stones. On receiving the knife injuries, Mukesh @ Munna fell down in the street and thereafter he was shifted to Civil Hospital, Sector-6, Panchkula. The complainant died due to the knife blows and thus, the request was made to take legal action against the culprits. On registration of the FIR, the investigation commenced and the postmortem of dead body was conducted. The statement of the witnesses recorded and on completion of the investigation, the challan was presented and on framing of the charges, the trial commenced. The petitioner was arrested on 26.12.2022. The petitioner approached the Court of learned Sessions Judge, Panchkula, praying for the grant of bail. However after hearing both the sides, finding no merit, the same was declined by the learned Sessions Judge, Panchkula vide order dated 04.08.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of bail.

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, Rohit @ Golu, Joginder and Rahul. He has drawn the attention of this Court to the order dated 03.05.2025 passed in CRM-M-55108-2024, CRM-M-30899-2025 and CRM-M-37039-2025 whereby, co-accused namely, Rohit @ Golu, Joginder and Rahul have been granted regular bail by this Court. He submits that the petitioner is in custody since 26.12.2022. 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 has already been granted bail.

4. Learned State counsel 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, Rohit @ Golu, Joginder and Rahul. She has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 26.12.2022. Co-accused, namely, Rohit @ Golu, Joginder and Rahul are on bail and the case of the petitioner as stated is at par with him. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 02 years, 07 months & 25 days as on 23.08.2025. It further reflects that the petitioner is not involved in any other case.

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**

25.08.2025

'R. Sharma'

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