



**259 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-43768-2025 (O&M)
Date of Decision: 19.08.2025**

Monu Petitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Aditya Sanghi, Advocate, for the petitioner.
Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

CRM-31428-2025

Allowed as prayed for.

Main case

1. Present petition has been filed for grant of regular bail to the petitioner in case FIR No.186 dated 15.06.2020, under Sections 147/148/149/201/302/323 IPC and Sections 25(1-B)-(B) of Arms Act 54 of 1959, registered at Police Station Sirsa Sadar, District Sirsa.
2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of Chameli Devi. It was alleged that her nephew, namely, Bindra Kumar was having love affair with the daughter of Naresh Kumar and on 14.06.2020 on account of the same, an altercation took place. Sanjay Kumar, son of Naresh Kumar and 10-15 other persons including the petitioner, namely, Monu, caught hold her son, namely, Parveen (since deceased) and Suraj gave iron spear blow on his neck. Brother-in-law of the complainant attempted to intervene, but he was also given injuries. On raising alarm, all the accused fled away from the scene of occurrence on their motorcycle alongwith their respective weapons. Injured



Parveen was shifted to Government Hospital, Sirsa, where he succumbed to his injuries. Thus, request was made to take legal action against the accused persons. The petitioner was arrested on 16.05.2024. He approached the Court of learned Additional Sessions Judge, Sirsa praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 30.07.2025. Aggrieved by the same, the petitioner has approached this Court praying for grant of regular bail 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, Satpal @ Rogi, Suraj, Pritpal @ Kalu @ Pirthpal, Govind Kumar and Desh Raj. He has drawn the attention of this Court to the Annexures P-5 to P-9, whereby, the said co-accused have been granted regular bail by this Court. He submits that the occurrence in the present case took place on 14.06.2020, however, no challan was presented against the petitioner. Thereafter, the petitioner was arrested on 16.05.2024 i.e. about four years after the occurrence and supplementary challan has been presented against the petitioner. He submits that even otherwise the allegation made against the petitioner is that he gave fist and kick blow to the deceased. He submits that the petitioner is in custody since 16.05.2024. He submits that the petitioner has no criminal antecedents. 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 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, Satpal @ Rogi, Suraj, Pritpal @ Kalu @ Pirthpal, Govind Kumar and Desh Raj. He 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 16.05.2024. Co-accused, namely, Satpal @ Rogi, Suraj, Pritpal @ Kalu @ Pirthpal, Govind Kumar and Desh Raj 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 01 year, 03 months & 02 days as on 18.08.2025. It further reflects that the petitioner has no criminal antecedents.

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.

19.08.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE

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