



CRM-M-22058-2025

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

CRM-M-15939-2025

Date of decision : 20.08.2025

Mukesh @ Micky**.....Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Ms. Neeru Bansal, Advocate for the petitioner.

Ms. Diya Sodhi, Sr. D.A.G., Haryana.

Mr. Keshav Pratap Singh, Advocate and
Mr. Rajat Singh, Advocate for the complainant.**RAJESH BHARDWAJ, J. (Oral)**

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.209, dated 23.06.2023 (Annexure P-1), under Sections 302, 34 of IPC (Sections 148, 149, 323, 364, 120-B of IPC and Section 25 of Arms Act, added later on), registered at Police Station Bahalgarh, District Sonapat (Haryana).

2. Succinctly the facts of the case are that the FIR in the present case was registered on the basis of the complaint lodged by Renu, who was the wife of deceased, Jitender @ Kalu. It was alleged that her husband, Jitender @ Kalu was 45 years of age and was running a fruit cart at Bahalgarh. On 23.06.2023, at about 10-11 A.M., he left home on his motorcycle bearing registration No.HR-10AQ-7706. It was alleged that at about 3.30 to 4.00 p.m., they received an information that Jitender @ Kalu was lying dead behind FIMS Hospital. On receiving the information, she along with the family members reached at the informed spot and saw her husband, Jitender @ Kalu lying dead in a pool of blood. She came to know that her husband, Jitender @ Kalu was with Ankush



and Ravi and they committed the murder of her husband by giving him injuries with sharp edged weapon. The motive behind it was that Ankush took a loan of Rs.50,000/- from her husband before 20 days. Though he assured to return the money within 2-4 days but he was not returning the money and on asking for the same, he threatened to kill her husband which he did in conspiracy with other accused. The request was made to take the legal action against the accused. On registration of the FIR, the investigation commenced and name of the petitioner surfaced during the investigation on the basis of disclosure statement. Petitioner, namely, Mukesh @ Micky was arrested on 24.06.2023. The petitioner approached the Court of learned Additional Sessions Judge, Sonapat praying for the grant of regular bail. However after hearing both the sides, finding no merit in the same, the learned Additional Sessions Judge, Sonapat declined the petition filed by the petitioner vide order dated 13.11.2024. Being aggrieved the petitioner earlier approached this Court by way of filing of CRM-M-60039-2024, however, the same was dismissed as withdrawn by this Court vide order dated 23.01.2025. Hence, the petitioner is before this Court by way of filing the present second petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently submitted that the petitioner has been implicated in the present case. He has submitted that the petitioner has been implicated in the present case on the basis of disclosure statement made by co-accused, namely, Ankush with the allegations of conspiracy, however, the same is not proved from the attending facts and circumstances of the case. He has further submitted that no role has been attributed to the petitioner. He has submitted that the petitioner is in custody since 24.06.2023. He, at the outset, prays for the



grant of bail on the basis of parity with that of the co-accused. He has drawn the attention of this Court to the order passed by this Court in **CRM-M No.55847 of 2024; CRM-M No.58385 of 2024; CRM-M No.58477 of 2024** and **CRM-M No.4809-2025** dated 23.01.2025 and 26.03.2025, respectively, whereby co-accused of the petitioner, namely, Amit, Ankit, Dinesh Kumar and Sumit have been granted the concession of bail. He has submitted that case of the petitioner is at par with the co-accused, who have been granted bail by this Court. It is submitted that the petitioner is behind bars since the date of his arrest and there being no prima facie case made out against him, his incarceration is totally unwarranted. He has submitted that thus on the basis of the parity, the petitioner deserves to be granted bail as case of the petitioner is similar to that of the co-accused, who has already been granted bail by this Court.

4. Custody certificate of the petitioner dated 18.08.2025 has been filed by learned State counsel today in the Court and the same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

5. Learned counsel for the State although has opposed the prayer of the petitioner for granting him bail, yet endorsed the fact that the case of petitioner is at par with the co-accused, namely, Amit, Ankit, Dinesh Kumar and Sumit who have already been granted bail by this Court. She has submitted that out of total 22 prosecution witnesses, 07 witnesses have been examined till date. She has produced the custody certificate of the petitioner, on record.

6. Learned counsel for the complainant has submitted that the petitioner is the nephew of the deceased and it was on his assurance the deceased had advanced Rs.50,000/- to Ankush and a cheque of



Rs.49,000/- was also given by the petitioner to the deceased. Thus, he conspired to eliminate the deceased. He submits that the petitioner does not deserves the concession of bail.

7. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner has been implicated in the present case on the basis of disclosure statement made by co-accused, Ankush. Custody certificate produced by the learned State counsel shows that the petitioner has undergone incarceration of 02 years, 01 month and 25 days as on 18.08.2025. The custody certificate further reflects that the petitioner has no criminal antecedents.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail on the basis of parity as the co-accused, namely, Amit, Ankit, Dinesh Kumar and Sumit have already been admitted to bail by this Court as stated above.

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

(**RAJESH BHARDWAJ**)
JUDGE

20.08.2025

ps-I

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