



CRM-M-18203-2025

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

**CRM-M-18203-2025**

Date of Decision: 08.04.2025

Jatinder Tiwari

..... Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Parminder Singh-I, 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.151 dated 17.11.2024, under Sections 108, 3(5), 351(2), 351(3) of BNS, 2023 registered at Police Station Punjab Kotwali, District Bathinda.

2. Succinctly facts of the case are that FIR in the present case was lodged on the statement of complainant Vikas Tiwari. It was alleged that the illicit relations of Anil Tiwari was to be with Shallu who is maternal aunt (mami) of Adarsh Shukla who is friend of the complainant. It was alleged that on account of the same, Akash Tiwari and Adarsh Shukla went for clearing their dues. It was also alleged that the petitioner was also present at that time. Thereafter, Akash Tiwari was found to have committed suicide by hanging. It was alleged that it is because of the instigation of the petitioner and co-accused that Akash Tiwari committed suicide. Request was made to take legal action against the culprits. On registration of the FIR, investigation commenced. Petitioner was arrested on 17.11.2024. He approached the Court of learned Additional Sessions Judge, Bathinda praying for grant of bail. However, after hearing counsel for both the sides,



learned Additional Sessions Judge, Bathinda declined the same vide order dated 03.02.2025. Hence, 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, Bachan Tiwari @ Ram Narayan @ Bachan. He has drawn the attention of this Court to the order dated 28.03.2025 passed in **CRM-M-16098-2025**, whereby, co-accused Bachan Tiwari @ Ram Narayan @ Bachan has been granted regular bail by this Court. 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 17.11.2024. 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 counsel for the State 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, Bachan Tiwari @ Ram Narayan @ Bachan. He has submitted that challan has been presented in this case.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 17.11.2024. Co-accused, namely, Bachan Tiwari @ Ram Narayan @ Bachan is on bail and the case of the petitioner as stated is at par with him.

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. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

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

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| 08.04.2025<br>sharmila | (RAJESH BHARDWAJ)           |        |
|                        | JUDGE                       |        |
|                        | Whether Speaking/Reasoned : | Yes/No |
|                        | Whether Reportable :        | Yes/No |