



CRM-M-23122-2025

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236 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
 AT CHANDIGARH
 CRM-M-23122-2025
 Date of Decision: 27.08.2025

Kadir

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Kapil Aggarwal, Advocate, for the petitioner.
 Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.18 dated 14.02.2019 under Section 285 IPC and Section 25 of the Arms Act, 1859 (Sections 307, 380, 457 and 120-B IPC added lateron), registered at Police Station Buria, District Yamuna Nagar.
2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant, Gagandeep. It was alleged that he is working as Supervisor in Nisha Security Company, which works for the security of the towers of Indus Towers Limited Company. On the intervening night of 12/13.02.2019, the complainant found that some unknown persons had stolen 41 battery cells of the towers and ran away from the spot by loading the same in their vehicle. When the complainant and others followed the said vehicle, then those unknown persons fired seven rounds towards them. However, the accused persons managed to escape from the spot alongwith their vehicle. Thus, request was made to take legal action against the said known persons, who fired with intention to kill. During the investigation, the petitioner was arrested on 02.02.2025. He



approached approached the Court of learned Additional Sessions Judge, Yamuna Nagar at Jagadhri 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 25.03.2025. Hence, 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, Mobin and Shahjad. He has drawn the attention of this Court to the order dated 20.08.2025 passed in **CRM-M-61001-2024** and **CRM-M-33690-2025**, whereby, co-accused Mobin and Shahjad have been granted regular bail by this Court. He submits that the petitioner is in custody since 02.02.2025. 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, Mobin and Shahjad. On instructions, he has submitted that and charges have been framed on 29.07.2025 and out of total 31 prosecution witness, no witness has been examined so far. 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 02.02.2025. Co-accused, namely, Mobin and Shahjad are on bail and the case of the



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petitioner as stated is at par with them. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 06 months & 24 days as on 26.08.2025. It further reflects that the petitioner is involved in eight more cases, however, he is on bail in four cases and in two cases, he has already undergone the sentence awarded to 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.

27.08.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE

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