

2025:PHHC:103450



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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(1). CRM-M-28849-2025
Date of Decision: 11.08.2025

Deepak Kumar ...Petitioner
Versus
State of Punjab ...Respondent
and

(2). CRM-M-28854-2025

Sahil Kumar @ Sahni ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Damanjit Singh Sandhu, Advocate
for the petitioner in both the petitions.

Ms. Simran Gorla, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. By way of this common order, I intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.
2. Petitioners have approached this Court by way of present petitions praying for granting regular bail in case FIR No.198 dated 28.09.2023 under Sections 302/323/324/148/149/120-B of IPC, 1860, registered at Police Station Machhiwara, Police District Khanna, District Ludhiana.
3. Succinctly, facts of the case are that the present case was registered on the statement of the complainant, namely, Parmod Sahni. It had been alleged that the petitioners along with co-accused formed an unlawful

assembly and in prosecution of common object of that unlawful assembly, armed with sharp-edged weapons, inflicted injuries on the person of Balram Sahni, son of the de facto complainant (Parmod Sahni) as well as Kundan Kumar and Mister Kumar with their respective weapons, due to which Balram Sahni succumbed to the injuries. The request was made to take legal action against the culprits. On registration of FIR, the investigation commenced. The petitioners were arrested on 29.09.2023. They approached the learned Additional Sessions Judge, Ludhiana, praying for grant of bail, however, finding no merit, the same, was declined after hearing both the sides by Learned Additional Sessions Judge, Ludhiana vide order dated 28.01.2025. Aggrieved by the same, the petitioners are before this Court praying for grant of bail by way of filing of present petitions.

4. Learned counsel for the petitioners, at the outset, prays for the grant of bail to the petitioners on the basis of parity with that of the co-accused, namely, Kanhaiya Kumar @ Kaniya Sahni and Krishan Kumar @ Krishna Sahni. He has drawn the attention of this Court to the orders dated 16.05.2025 and 06.06.2025 passed in **CRM-M-19269-2025** and **CRM-M-30232-2025** whereby, both the above mentioned accused have been granted regular bail by this Court. He has submitted that the case of the petitioners are at par with the said co-accused. He submits that the petitioners are in custody since 29.09.2023. He submits that the petitioners have no criminal antecedents. He submits that on the basis of the parity, the petitioners deserve to be granted bail as the case of the petitioners is similar to that of the said co-accused, who have already been granted bail.

5. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioners as stated above and has not denied that the petitioners are at par with the co-accused, namely, Kanhaiya Kumar @ Kaniya

Sahni and Krishan Kumar @ Krishna Sahni. She has placed on record the custody certificates of the petitioners.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioners are behind bars since 29.09.2023 Co-accused, namely, Kanhaiya Kumar @ Kaniya Sahni and Krishan Kumar @ Krishna Sahni are on bail and the case of the petitioners as stated is at par with them. As per custody certificate, the petitioners have suffered incarceration of 01 year, 10 months & 09 days as on 11.08.2025. It further reflects that the petitioners are not involved in any other case.

7. 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 petitioners succeeds in making out a case for grant of regular bail to the petitioners on the basis of parity. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

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

9. A photocopy of this order be placed on the files of another connected case.

11.08.2025

Parveen kumar

(RAJESH BHARDWAJ)
JUDGE

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