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

CRM-M-33296-2025

Date of decision : 28.07.2025

Vishant @ Kala

....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Gaurav Tyagi, Advocate
for the petitioner.

Ms. Diya Sodhi, Sr. D.A.G., 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.132 dated 09.07.2024 under Sections 109(1), 121(1), 132, 221 BNS, 2023 and Sections 25 & 29 (added later on) of Arms Act, registered at Police Station Thanesar City, District Kurukshetra.

2. As per facts of the case, on 09.07.2024, the police party received a secret information to the effect that four boys duly armed were roaming in Thanesar City on motorcycles and they were about to commit crime. It was further informed that these four boys were sitting in an old house in Sector 10, Kurukshetra. The police party raided the disclosed place, where four boys were found talking to each other. They were cautioned to surrender, however, they opened attack on the police party. In self defence, the police also fired and one of the boys got injured and thereafter, all four boys were arrested on the spot. Names of the boys were found to be Ankit, Rajesh Kumar, Lakshya and Sonu. During interrogation, the petitioner was alleged to have gone with co-accused Sawan went to



Ujjain to purchase illegal weapons and thus, on the basis of suspicion only, he was arrayed as an accused. However, the petitioner was already arrested on 07.07.2024 in another FIR No.198 dated 25.06.2024 and in the present case, the petitioner was arrested on production warrants only. He approached the Court of learned Additional Sessions Judge, Panipat 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 28.05.2025. Hence, the petitioner approached this Court praying for grant of 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, Sawan @ Laddu. He has drawn the attention of this Court to the order dated 24.07.2025 passed in **CRM-M-38247-2025**, whereby, co-accused, namely, Sawan @ Laddu, 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 the date of his arrest. 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. Status report by way of affidavit of Mr. Om Parkesh, HPS, Deputy Superintendent of Police, City Kurukshetra has been filed on behalf of respondent-State, in the Court today, same is taken on record.

5. 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, Sawan @ Laddu. She submits that complicity of the petitioner was established

during the investigation. She has produced the custody certificate of the petitioner on record.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner has been arrayed as an accused on the basis of suspicion only as petitioner along with co-accused, Sawan, went to Ujjain to purchase illegal weapons and thus, he was arrayed as an accused. The investigation is already complete and co-accused, namely, Sawan @ Laddu, is on bail and the case of the petitioner as stated is at par with him.

7. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case and that the case of the petitioner is at par with that of co-accused, 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. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

28.07.2025
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(RAJESH BHARDWAJ)
JUDGE

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