



CRM-M-33711-2025

-1-

**221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-33711-2025
Date of Decision: 29.09.2025**

Ram Niwas @ Billu

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Arnav Ghai, Advocate, for the petitioner.
Mr. Tanuj Sharma, AAG, Haryana.
Mr. Rajesh Duhan, Advocate, for the complainant.

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.238 dated 08.09.2023 under Sections 323, 506, 341 read with Section 34 IPC (offence under Section 120-B, 201, 302 IPC added lateron and offence under Section 149 and 148 IPC deleted latero), registered at Police Station Sanoli, District Panipat.
2. Succinctly the facts of the case are that FIR in the present case was registered on the statement of complainant, Ram Mehar. It was alleged that two daughters of his Uncle got married to two sons of Ramesh, namely, Tejinder and Joginder in village Balana. Ram Niwas (petitioner) and Joginder were relatives and regarding this matter, Ram Niwas had a grudge against them. On 31.08.2023, Ram Niwas and Joginder encircled his Uncle in the fields and threatened him. They hatched a conspiracy on 06.09.2023 at around 10:00 a.m. when his uncle was going to his residence. Ram Niwas exhorted to kill him. On hearing Ashok S/o Ram Niwas, who was armed with an axe and Jai Bahgwan S/o Ramdhari was armed with jelly, Ram Niwas was armed with lathi, Sunita wife of Jai Bhagwan armed with Danda,



Puja wife of Ashok was also armed with a danda and 3-4 other persons with covered faces approached there. All of them in a well hatched conspiracy attacked Radhey Shyam of their village with intention to kill him. Ashok gave blow on the head of his Uncle with an axe and on hearing the cries of his uncle, he reached at the spot to save him. The accused attacked him as well and he received severe injuries on his head and body. They were then shifted to the Civil Hospital Panipat. Due to the severe injuries, the doctors referred them to PGI, Khanpur and from there they brought there Uncle to Prem Hospital, Panipat, whose condition remained serious. The request was made to take legal action against the culprits. On registration of FIR, investigation commenced. The petitioner was arrested on 28.09.2023. However, during treatment the injured Radhey Shyam succumbed to the injuries on 28.09.2023. The offence under Section 302 IPC was added in the FIR. The petitioner approached learned Additional Sessions Judge, Panipat, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides vide order dated 10.06.2025. Aggrieved by the same, the petitioner is before this Court praying for grant of bail by way of filing of 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, Jai Bhagwan. He has drawn the attention of this Court to the order dated 20.05.2025 passed in **CRM-M-13809-2025**, whereby, co-accused Jai Bhagwan has been granted regular bail by this Court. He has submitted that the petitioner was allegedly armed with Lathi and allegedly given injuries, however, the same were not medically corroborated. It is



submitted that fatal head injuries had been attributed to Ashok, who was allegedly armed with axe. He submits that the petitioner is behind bars since 28.09.2023, however, there is no material progress in the trial. 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 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, Jai Bhagwan. On instructions, he has submitted that charges have been framed and out of total 25 prosecution witnesses, one witness has been examined. He has placed on record the custody certificate of the petitioner.

5. Learned counsel for the complainant has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner alongwith the co-accused played active role in commission of offence.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 28.09.2023. Co-accused, namely, Jai Bhagwan is on bail and the case of the petitioner as stated is at par with them. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 01 year, 11 months & 29 days as on 26.09.2025. It further reflects that the petitioner has no criminal antecedents.

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 petitioner



CRM-M-33711-2025

-4-

succeeds in making out a case for grant of regular bail to the petitioner. 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.

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

29.09.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE

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