

2025:PHHC:125874



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

**CRM-M No.34265 of 2025
Date of Decision: 12.09.2025
Reserved on: 02.09.2025**

Aniket @ Monnu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Satpal Bhasin, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

Mr. Z.S. Chauhan, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The instant one is the second petition filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in case arising out of FIR No.176 dated 01.10.2023 registered under Sections 148, 149, 302, 323, 324, 379-B, 452 and 506 of IPC (Sections 325, 120-B and 201 of IPC added later on) at Police Station Tigaon, District Faridabad, Haryana.

2. The petitioner along with the co-accused had been booked for and is facing trial for commission of aforementioned offences on the allegations that by forming membership of an unlawful assembly with the co-accused by him, the murder of victim Prabhunath was committed and

2025:PHHC:125874



simple as well as grievous injuries to his family members were caused. The previous petition as filed by the petitioner bearing CRM-M No.47947 of 2024 had been dismissed vide order dated 07.11.2024.

3. It is argued by learned counsel for the petitioner that there is a change in the circumstances after dismissal of his previous petition as thereafter, the co-accused Om Dutt Saini whose case is on similar footing had been extended benefit of regular bail. Even accused Rohit Mandiya had been extended benefit of regular bail keeping in view the fact that the complainant Rajesh Singh and injured victim have sworn affidavits showing that he was not involved in the occurrence. It is submitted that even the petitioner was not named in the FIR and was nominated as an accused on the basis of disclosure statement of co-accused Mohit and even in that statement, the only role attributed to him was of being present at the spot at the time of occurrence. In their respective sworn affidavits, Rajesh Singh and Guddi have also sworn that the petitioner as well was not involved in the occurrence. It is, therefore, argued that on the ground of parity and in view of the affidavits so sworn, the petitioner deserves to be released on bail.

4. Learned Deputy Advocate General, Haryana, on the other hand, has refuted the contentions as raised by learned counsel for the petitioner by submitting that the previous petition of the petitioner has been dismissed on merits. There is no substantive or drastic change in the circumstances. It is, therefore, urged that the petition does not deserve to be allowed.

5. Learned counsel for the complainant without controverting the fact that the complainant and Guddi have sworn affidavits, has submitted

2025:PHHC:125874



that there are serious allegations against the petitioner and hence, he does not deserve to be released on bail.

6. This Court has considered the rival submissions.

7. The FIR in this case was registered on the allegations that after hatching a conspiracy, the co-accused along with some unknown persons had opened an assault upon the complainant and his family members on 01.10.2023 and had caused injuries to them which resulted in death of father of the complainant and sustaining simple as well as grievous injuries by himself and his other family members. The petitioner was not named in the FIR and has been nominated as an accused on the basis of disclosure statements stated to be suffered by co-accused Mohit and Ravinder. The petitioner has placed on record copies of affidavits shown to be sworn by the complainant and his mother showing that the petitioner, co-accused Rohit Mandelya and Vinay Kumar had not caused any injuries to them or their family members. The co-accused Rohit Mandelya has already been extended benefit of bail. Though learned counsel for the complainant has contested this petition but the fact that the aforementioned affidavits had been sworn by the complainant and his mother has not been controverted. The petitioner is in custody since 06.11.2023. Even as per the allegations, no specific act or injury on the person of the deceased has been attributed to him. Co-accused Vinay has also been extended benefit of bail vide order dated 11.09.2025 passed in CRM-M No.28791 of 2025 by this Court. On parity, the petitioner also deserves to be given the same benefit. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his

2025:PHHC:125874



furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and further subject to his abiding by the following conditions:-

- (i) The petitioner will not tamper with evidence during trial.
- (ii) He will appear before the trial Court on each and every date fixed, unless is exempted by specific order of the Court.
- (iii) The petitioner shall not commit any offence similar to the offence of which he is an accused.
- (iv) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (v) Any infraction shall entail in withdrawal of the benefit granted by this court.

8. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

(MANISHA BATRA)
JUDGE

12.09.2025
manju

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No