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

CRM-M-35413-2025

Date of decision : 14.07.2025

Deepak Rana @ Deepak**.....Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Tanuj Sharma, A.A.G., Haryana.

Mr. Ravi Malik, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.34, dated 17.02.2024, under Sections 148, 149, 323, 302, 341, 365, 120-B of IPC, 1860 and Section 25 of Arms Act, registered at Police Station Sadar Palwal, District Palwal (Annexure P-1).

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Rakesh. It was alleged that on 16.02.2024, his nephew, namely, Jogender (deceased) had gone to attend a wedding. It was further alleged that when he was returning to his village Ghughera on motorcycle, he was waylaid by Vishnu, Krishan, Pawan, Lalit, Sulle, Rohit and others. He was given severe injuries by all those 10-15 persons. After beating him mercilessly, the accused, namely, Vishnu and others called Sandeep and told that they had killed Jogender,



whose body was lying in the forest of Kairaka and further told him to collect his dead body. On receiving the information, the family of the complainant reached to the Kairaka forest where they found Jogender in a severe injured condition. He had multiple injuries on his body and was conscious. He was shifted by them to the Government Hospital, Palwal. While shifting him to the hospital, Jogender confirmed about the injuries having been given by the assailants as mentioned above. Jogender succumbed to his injuries in Safdarjung Hospital. The request was made to take the legal action against the culprits. On registration of the FIR, the investigation commenced. During the investigation, the disclosure statements of co-accused were recorded, on the basis of which, petitioner was also arrayed as an accused in the present case. The petitioner was arrested on 23.02.2024. The petitioner approached the Court of learned Additional District & Sessions Judge, Palwal praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional District & Sessions Judge, Palwal declined the petition filed by the petitioner vide order dated 05.06.2025. Being aggrieved, the petitioner approached this Court earlier by way of filing of CRM-M-48172-2024, however, the same was dismissed as withdrawn vide order dated 20.03.2025. Hence, the petitioner is before this Court by way of filing the present second petition praying for the grant of regular bail.

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, Harender Pahil @ Harru. He has drawn the attention of this Court to the order dated 07.07.2025 passed in **CRM-M-32570-2025**, whereby, co-accused, namely, Harender Pahil @ Harru, 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 23.02.2024. 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. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioners. He, on instructions, has submitted that out of total 35 prosecution witnesses, only 02 witnesses have been examined. He submits that complainant has also been examined. He has produced the custody certificate of the petitioner. He 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, Harender Pahil @ Harru.

5. Learned counsel for the complainant has opposed the submissions made by learned counsel for the petitioner.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrayed as an accused on the basis of disclosure statement of the co-accused. As submitted out of total 35 prosecution witnesses, only 02 witnesses have been examined. Custody certificate produced would show that the petitioner has suffered an incarceration of 01 year, 04 months and 21 days as on 12.07.2025 and he has no criminal antecedents. Co-accused, namely, Harender Pahil @ Harru is on bail and the case of the petitioner as stated is at par with them.

7. The veracity of the allegations would be assessed only after the 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, this Court is of the opinion that learned counsel for the petitioner succeed in making out a case for grant of regular bail. Accordingly, present petition is allowed. 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.

14.07.2025
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(RAJESH BHARDWAJ)
JUDGE

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