



CRM-M-40735-2025

-1-

236 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH
CRM-M-40735-2025
Date of Decision: 25.08.2025

Ajay Chauhan @ Amit

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. Shweta Bawa, Advocate, for the petitioner.

Ms. Diya Sodhi, Sr. DAG, 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.139 dated 26.10.2022 under Section 148, 149, 323, 325, 302, 427, 201, 120-B IPC, registered at Police Station Bhupani, Faridabad.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant, Deepika Yadav. It was alleged that in the intervening night of 25/26.10.2022, at about 12:00 O'clock, she was waiting for her husband and was standing on the roof of the house. In the meanwhile, she heard noise of quarrel, wherein, one person was saying that this is Mohit, let he be killed. On hearing, she reached on the spot and found that Mukesh, his sons Kunal and Karan, Amit (petitioner) and 4-5 other persons were there and they were beating her husband Mohit and Naveen. On raising alarm, the accused persons tried to flee from the spot and thereafter, Bharat Yadav, i.e. brother-in-law of the complainant, reached there. All the assailants fled away from the spot while carrying iron rods, axes and dandas in their hands. Both the injured i.e. Mohit and Naveen were shifted to H.K. Hospital, Faridabad by the Police, where Mohit i.e. husband



of the complainant was declared brought dead by the Doctors. Request was made to take legal action against all the accused. On the registration of the FIR, the investigation commenced. During the investigation, Ajay @ Amit (petitioner) was arrested on 25.09.2024 and on his disclosure statement, the place of occurrence was demarcated. The petitioner approached the Court of learned Additional Sessions Judge, Faridabad 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 26.03.2025. Hence, the petitioner has approached this Court praying for grant of regular 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, Mukesh and others. She submits that out of total 19 accused, 17 accused are on bail. She has drawn the attention of this Court to the order dated 18.09.2024 passed in **CRM-M-24188-2024**, whereby, co-accused Mukesh has been granted regular bail by this Court. She submits that the petitioner is in custody since 25.09.2024. She 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 have already been granted bail.

4. Status report by way of affidavit of Varun Kumar Dahiya, Assistant Commissioner of Police, Crime-II, District Faridabad filed in Court is taken on record. 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, Mukesh. On



CRM-M-40735-2025

-3-

instructions, she has submitted that out of total 57 prosecution witness, 02 witness have been examined so far. She has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 25.09.2024. Co-accused, namely, Mukesh and other accused are 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 10 months & 28 days as on 22.08.2025. It further reflects that the petitioner is involved in one more case, however, he is on bail in that case.

6. 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 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.

7. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

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

25.08.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE

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