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

1. **CRM-M-42255-2025**

Mahesh @ Ganja

.....Petitioner

versus

State of Haryana

..... Respondent

2. **CRM-M-41594-2025**

Raju

.....Petitioner

versus

State of Haryana

..... Respondent

Date of decision : 08.08.2025

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Krishan Singh, Advocate
for the petitioner in CRM-M-42255-2025.

Ms. Alka Sharma, Advocate
for the petitioner (through V.C.) in CRM-M-41594-2025.

Ms. Diya Sodhi, Sr. D.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, I intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.

2. Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.484 dated 24.12.2022, under Sections 148, 149, 302, 323 & 34 of IPC and Sections 25, 54, 59 of Arms Act, registered at Police Station Sector-14, Panchkula, District Panchkula, Haryana.



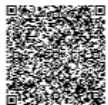
3. Succinctly the facts of the case are that the present case was registered on the statement, namely, Divyanshu. It was alleged that on 24.12.2022 at about 5:00/5:30 PM, he along with Rishab and Mukesh @ Munna (deceased) were going to Chicken Market, Indira Colony, Sector 17, Panchkula and were coming from vegetable market, Budanpur. On the way they met 10/12 boys wherein Santram @ Santu was holding a knife and Mastu was holding a base ball and Raju and Rahul were holding a wooden bat and Golu, Rahul, Deepak and Joginder etc. were holding bricks and stones. Due to earlier enmity between both the sides, they opened attacked on them. Mukesh @ Munna was caught hold and Santram @ Santu gave 4/5 knife blows on the body of Mukesh @ Munna and Mastu inflicted injuries with base ball bat Rahul, Raju, Golu, Mahesh @ Ganja and others started pelting brick and stone on him. On receiving the knife injuries Mukesh @ Munna fell down in the street. He was thereafter shifted to Civil Hospital Sector- 6, Panchkula. He died due to the knife blows. The request was made to take legal action against the culprits. On registration of FIR, investigation commenced and postmortem of dead body was conducted. The statement of the witnesses were recorded. On completion of investigation, challan was presented and on framing of charges the trial commenced. The petitioners approached the Court of Ld. Sessions Judge, Panchkula, for grant of bail, however, after hearing both the sides and finding no merits, their applications were declined by the trial Courts vide orders dated 23.01.2024 and 14.02.2025, respectively. Aggrieved by the same, the petitioners are before this Court by way of filing the present petitions.



4. Learned counsel for the petitioner, at the outset, prays for the grant of bail on the basis of parity with that of the co-accused. He has drawn the attention of this Court to the order passed by this Court in **CRM-M-55108-2024 and CRM-M-30899-2025** dated 03.05.2025 and 04.07.2025, respectively, whereby co-accused of the petitioners, namely, Rohit @ Golu and Joginder, have been granted the concession of bail. He has submitted that case of the petitioners are at par with the co-accused, who have been granted bail by this Court. He submits that on the basis of the parity, petitioners deserve to be granted bail as case of the petitioners are similar to that of the co-accused, who have already been granted bail.

5. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner and submits that the petitioners are specifically named in the FIR, who were part of the unlawful assembly. He submits that the petitioners having played an active role, does not deserve the concession of bail. However, she endorsed the fact that case of the petitioners are at par with co-accused, namely, Rohit @ Golu and Joginder, who have been granted bail by this Court vide orders dated 03.05.2025 and 04.07.2025 passed in **CRM-M-55108-2024 and CRM-M-30899-2025**, respectively.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the occurrence in the present case had took place on 24.12.2022. The postmortem report reveals that the deceased had suffered 05 injuries that were opined to have been given by a sharp edged weapon. Admittedly, co-accused, Rohit @ Golu and Joginder have also been granted regular bail vide orders dated 03.05.2025 and 04.07.2025 passed



by this Court in CRM-M-55108 of 2024 and CRM-M-30899-2025.

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 petitioners succeed in making out a case for grant of regular bail. Accordingly, both the petitions are allowed. Petitioners are ordered to be released on bail on their 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.

8. Photocopy of this order be placed on the file of other connected cases.

(RAJESH BHARDWAJ)
JUDGE

08.08.2025

ps-I

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