

CRM-M-49887-2025 (O & M) 2025:PHHC:126222



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(240)

CRM-M-49887-2025 (O & M)
Date of decision: 11.09.2025

Ajay @ Mota

..... Petitioner(s)

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Navneet Singh Chhokar, Advocate, for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this fourth petition under Section 483 of BNSS, 2023 is for the grant of the regular bail to the petitioner in case FIR No.422 dated 12.12.2022 under Sections 395, 397, 212, 120-B IPC and Section 25 of the Arms Act, registered at Police Station Dharuhera, District Rewari.

2. The present FIR came to be registered at the instance of Ishwar Singh and reads as under:-

"Sir, S.H.O., P.S. Dharuhera, Sir, It is requested that on the NH-48 Delhi to Jaipur, after Raqba Nikhrin, there is a petrol pump named Shaheed Bijender in the name of Brahma Devi. I am salesman on this pump from 10 years. Today at 7 PM to 7.15 PM, one Swift car came in which four young boys were there



::2::

and alighted from the Swift car and on the nose of the pistol from me and the office forcefully took away Rs. 27,000/- and sat in the Swift car and ran away towards Jaipur, who all were young boys and legal action be taken against them. Sd/ Ishwar Singh, Ishwar Singh s/o Om Parkash.

3. The learned counsel for the petitioner contends that though, the third bail application of the petitioner was declined on merits by this Court vide order dated 29.07.2025, on 31.07.2025, a co-accused/Ishan Antil @ Vasu had been granted the concession of bail by a Co-ordinate Bench of this Court and therefore, the petitioner is entitled to the similar concession.

4. The learned counsel for the State, on the other hand, contends that this Court had heard the petitioner in detail and looking at the attending facts and circumstances and the antecedents of the petitioner had declined bail to him vide order dated 29.07.2025 (Annexure P-8). It appears that while granting bail to the co-accused (Ishan Antil @ Vasu) of the petitioner on 31.07.2025, the Co-ordinate Bench of this Court had not been informed that the bail of the co-accused (present petitioner-Ajay @ Mota) had already been declined by this Court on 29.07.2025 and it was in those circumstances that the said co-accused has been granted the concession of bail. Therefore, once the petitioner was declined the concession of bail, he cannot seek the concession once again without any material change in the circumstances.

5. I have heard the learned counsel for the parties.

CRM-M-49887-2025 (O & M) 2025:PHHC:126222



::3::

6. A perusal of the order dated 29.07.2025 (Annexure P-8) passed by this Court declining the bail to the petitioner would reveal that it was a detailed one and all the arguments raised by the petitioner had been considered therein. Apparently, when the Co-ordinate Bench of this Court granted bail to the co-accused on 31.07.2025, it was not brought to the notice of that Court that the bail application of the co-accused/petitioner-Ajay @ Mota had been declined. Therefore, the Co-ordinate Bench granted bail to the petitioner therein on 31.07.2025. Once this Court has already declined bail to the petitioner vide a detailed order on 29.07.2025, the question of granting him bail within a short span of time without any change in material circumstances does not arise.

7. In view of the above, I find no merit in the present petition. Therefore, the same stands dismissed.

September 11, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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