

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

2025:PHHC:155658



CRM-M-56172-2025 (O&M)
Date of decision: 11.11.2025.

KANHAIYA

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Gaurav Tyagi, Advocate,
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.10 dated 23.01.2019, under Section(s) 147, 149, 395, 397 and 341 of the Indian Penal Code, 1860; Section 25 of the Arms Act, 1959 and Section 141 and 146 of the Railways Act, registered at Police Station GRP Rohtak, District GRP. Ambala Cantt.

2 Succinctly stated, the case of the prosecution is that the instant FIR was registered on the statement of Mithu Sharma, CTI Jaipur, who averred that on 23.01.2019, train No.12983, Garib Rath Rohtak started from

Rohtak Railway Station and when the train reached near Makdoli Railway Station, at about 3:12 a.m., 8-10 persons climbed the train and pulled the chain. Out of them, 4-5 persons had muffled their faces, 3-4 persons had country made pistols and remaining had knives and they robbed the passengers travelling in Coach G-9.

3 Learned counsel appearing for the petitioner contends that case of the petitioner is at par with co-accused Karan and Nitin @ Gullar who have been granted the concession of regular bail vide order dated 12.09.2025 and 25.09.2025 passed in CRM-M-50384-2025 and CRM-M-53339-2025 respectively. He contends that the petitioner has undergone an actual custody for a period of more than 05 years and therefore, the petitioner deserves the concession of regular bail.

4 On the other hand, State counsel does not dispute the facts noticed above.

5 Having heard the learned counsel for the parties and taking into consideration the facts and circumstances noticed above; the period of custody; the stage of the trial and that co-accused Karan and Nitin @ Gullar have been granted the concession of regular bail vide order dated 12.09.2025 and 25.09.2025 passed in CRM-M-50384-2025 and CRM-M-53339-2025 respectively, thus extending the concession of parity to the petitioner, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

6 It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or

indirectly.

7 The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

November 11, 2025.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
<i>Whether speaking/reasoned</i>	: <i>Yes/No</i>
<i>Whether reportable</i>	: <i>Yes/No</i>