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

CRM-M No.66012 of 2025

Date of decision: 02.12.2025

Vikash @ Vicky @ Vikas

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Munfaid Khan, Advocate
for the petitioner.

Mr. N. P. Chandel, AAG, Haryana with
Mr. Sumit Jain, Addl. A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.273, dated 27.06.2022, under Sections 147, 148, 149, 323, 506 of IPC (Sections 302, 120-B, 201IPC added later on), registered at Police Station SGM Nagar, District Faridabad.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, Vikas. It was alleged that on 26.06.2022, at about 7.00 P.M., the complainant along with Deepak and Vinod reached near wine shop on a motorcycle and standing on the road side, then, Amar Chand, Mangal, Golu, Chintu, Gheta and 10 other boys, who were armed with swords, iron rods and sticks, came there. It was alleged that Amar Chand exhorted to teach a lesson to Deepak and thus, all rushed to cause injuries to Deepak. Mangal gave an iron rod blow



to Deepak and other assailants also caused injuries to Deepak with swords, bricks, dandas, etc. and then left the place of occurrence, believing Deepak to be dead. Thereafter the complainant called the family members of Deepak and then got admitted him to Santosh Hospital. Thus the request was made to take legal action against all the accused. On registration of the FIR, the investigation commenced. During the treatment, Deepak succumbed to the injuries. During the investigation, complicity of the petitioner surfaced in the supplementary statement of complainant dated 10.07.2022 and thus, he was also arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 05.07.2022. The petitioner approached the Court of learned Additional Sessions Judge, Faridabad, praying for the grant of bail, however, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Faridabad declined the bail application filed by the petitioner vide order dated 06.01.2024. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of bail.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner has not been named in the FIR, however he has been named in the FIR in the supplementary statement of co-accused. He has drawn the attention of this Court to the order passed by this Court in **CRM-M-32153-2025**, dated 04.11.2025, whereby co-accused of the petitioner, namely, Rahul @ Balori has been granted bail by this Court. He thus, submits that the case of the petitioner is at par with that of the co-accused. He submits that on the basis of the parity, the petitioner deserves



to be granted bail.

4. *Per contra*, learned counsel for the State has opposed the submissions made by learned counsel for the petitioner. He, on instructions, has submitted that the complicity of the petitioner has been prima facie established during the investigation. He has produced custody certificate of the petitioner today in the Court, which is taken on record. However, he has endorsed the fact that co-accused of petitioner, namely, Rahul @ Balori, has already been granted bail by this Court vide order dated 04.11.2025 passed in **CRM-M-32153-2025**.

5. The Court has heard learned counsel for the parties and perused the record with their able assistance.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest, i.e. 05.07.2022. Custody certificate produced would show that the petitioner has suffered incarceration of 03 years, 04 months and 25 days as on 29.11.2025. It further reflects that the petitioner is involved in 01 more case, however he is on bail in that case. Admittedly, co-accused of the petitioner, namely, Rahul @ Balori has already been granted bail by this Court vide order dated 04.11.2025 passed in **CRM-M-32153-2025**.

7. The Hon'ble Supreme Court in *Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695* has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation

pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

8. The Hon’ble Supreme Court in a recent decision dated 03.07.2024 in ‘**Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024**’, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.
9. 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.
10. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeed in making out a case for the grant of bail to the petitioner on the basis of parity with the co-accused as stated above.
11. Accordingly, 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. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

02.12.2025

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