

112+214 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-13969-2026 in/and
CRM-M-5625-2026

Date of decision: 24.04.2026

ASHISH YADAV ALIAS ASHISH

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE **SUBHAS MEHLA**

Present: Mr. Balvinder Sangwan, Advocate
for the applicant-petitioner.

Mr. S.S. Pannu, Addl., A.G., Haryana.

SUBHAS MEHLA, J (Oral):

CRM-13969-2026

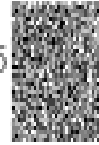
This is an application filed under Section 528 of BNSS, 2023 for placing on record the orders granting bail to the co-accused in the same FIR as Annexures P-6 and P-8 and for exemption from filing certified/true typed copy thereof.

In view of the averments mentioned in the application, same is allowed. Accompanied document i.e. Annexures P-6 and P-8, are taken on record.

Registry is directed to do the needful.

Main case

The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking grant of regular bail in case bearing FIR No.12 dated 07.01.2025 under Sections 103(1) and 3(5) of BNS, 2023, (Sections 190 and 191(3) of BNS added later and



Section 3(5) of BNS, 2023, deleted later) registered at Police Station Mujesar, Faridabd (Annexure P-1).

2. Brief facts of the case are that on 06.01.2025, an information was received from B.K. Guard, Faridabad that Aayush s/o Satya Narayan, r/o Sanjay Colony, Faridabad had died due to injuries received in RSA and his dead body was kept at B.K. Hospital mortuary. On this, Inspector/SHO Samer alongwith fellow police officials reached B.K. hospital and obtained medical rukka regarding death of deceased Aayush. The father of deceased Aayush namely Satya Narayan (complainant) met Inspector/SHO Amer and moved an application alleging therein that on 06.01.2025 at about 7.00 p.m, his son Aayush had gone to meet his friends Golu and Umesh and after some time, he (complainant) made a telephonic call on mobile of his son and the phone was picked up by Golu, who told him that a quarrel had taken place with his son Aayush. It was also informed that Ayush was got admitted in B.K. Hospital. Thereafter, he reached B.K. Hospital where his son was declared dead by Medical officer. During enquiry made from Golu, it was found that Varun, brother of Umesh was working in Victor Enterprises, Sarurpur Industrial Area, Faridabad and Varun had entered into an argument with a boy working in the said factory. Complainant further alleged that his son Aayush alongwith Umesh and Golu had gone to have a conversation this regard and at about 8.30 p.m. in front of Sehgal Factory, Ashish, Atul, Jila, Pankaj and their accomplices had caused injuries to his son Aayush. Thereafter, his son was got admitted in B.K. hospital where he was declared dead. Hence, the present FIR was

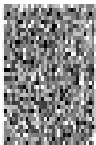


on 09.01.2025, who suffered his disclosure statement regarding his involvement in the occurrence. After completion of investigation, the final report was presented in the court.

3. Learned counsel for the petitioner contended that the petitioner has been falsely involved in this case; 5 co-accused have been released on bail, copies of orders passed by the Coordinate Bench of this Court granting bail to the co-accused are annexed with the petition as Annexure P-4 to Annexure P-8, respectively; the case of the petitioner is on better footing than other co-accused as they were armed with weapon whereas petitioner is attributed only a fist blow; the present petitioner has been in custody for the last more than 01 year and 03 months; therefore, no fruitful purpose would be served by keeping the petitioner behind the bars as he is not required for recovery purposes; trial will take sufficient time to conclude and as such, prayed for concession of regular bail.

4. Notice of motion.

5. Mr. S.S. Pannu, Addl., A.G., Haryana, who is present in Court, accepted notice on behalf of respondent-State, and by way of filing custody certificate dated 22.04.2026, opposed the concession of regular bail to the petitioner and submitted that the present petitioner alongwith co-accused in pursuance of their common object had committed murder of son of complainant and considering the gravity of the offence no ground is made out to grant the concession of bail: the petitioner has been in custody for a period of 01 year and 3 months & 14 days and as such, prayed for dismissal of the present petition.



7. Taking into consideration the facts & circumstances of the present case and the contentions raised by learned counsel for the parties and the fact that the present petitioner has been nominated on the basis of disclosure statement of co-accused; the co-accused have already been granted the concession of regular bail vide orders dated 01.09.2025, 04.12.2025, 23.02.2026, 23.02.2026, 24.03.2026 (Annexure P-4 to P-8), respectively passed by Coordinate Bench of this Court; the present petitioner is in custody for last 01 year and 3 months & 14 days; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is **allowed**. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. Nothing observed herein shall be construed as an opinion on the merits of the main case.

(SUBHAS MEHLA)
JUDGE

24.04.2026

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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |