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

CRM-M-24306-2026

Date of decision : 06.05.2026

Ishwar

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Navmohit Singh, Advocate
for the petitioner.

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

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed for grant of regular bail in case FIR No.62 dated 02.06.2024 under Sections 148, 149, 302, 323, 342 and 506 of IPC, registered at Police Station Mohana, District Sonapat.
2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of Ajmer son of Ramkishan. It was alleged that on 31.05.2024, his eldest brother Subhash had a quarrel with their neighbour Ishwar (present petitioner). However, the compromise regarding the same was arrived at, on the very same day. On 01.06.2024 at about 10:00 PM, his brother was walking in the street after having food and as Ishwar was holding grudge, he, Himanshu, Honey, Neelam, Sanjay with his wife Bebi, Buntty and Ishwar's younger sister namely, Sheela @ Sushila Devi after conspiring with each other, attacked Subhash with sticks and other sharp weapons. He was dragged inside their house. He



and Gaurav entered into Ishwar's house to get Subhash released. Everyone started beating Subhash. On raising alarm, the neighbours also gathered. They got them released however, Ishwar and others were threatening to kill him. They shifted their brother and nephew, namely, Gaurav to Sonapat for treatment. However, the Doctors declared his brother Subhash dead. Thus, request was made to take legal action against the accused. On registration of the FIR, investigation commenced. The postmortem of the dead body was conducted and statements of the witnesses were recorded by the investigating agencies. Petitioner was arrested on 02.06.2024. He approached before learned Additional Sessions Judge, Sonipat praying for grant of bail however, after hearing counsel for both the sides, it was declined vide order dated 21.04.2026. Being aggrieved, the petitioner earlier approached this Court by way of filing of CRM-M-26822-2025 but the same was dismissed as not pressed on 24.09.2025. Hence, the petitioner is before this Court by way of filing the present second petition.

3. 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 orders dated 21.02.2025, 27.10.2025 and 23.01.2025 passed by this Court in **CRM-M-9166-2025**, **CRM-M-8106-2025** and **CRR-107-2025**, respectively, whereby co-accused of the petitioner, namely, Sanjay, Himanshu and Honey Kumar, have been granted the concession of regular bail. He has submitted that case of the petitioner is at par with that of the co-accused, who have been granted regular bail by this Court. He submits that on the basis of the parity, petitioner deserves to be granted bail as case of the petitioner is similar to that of the co-accused, who have already been granted regular



bail.

4. Learned State counsel has opposed the submissions made by learned counsel for the petitioner. She has submitted that petitioner is specifically named in the FIR who was a part of the unlawful assembly. However, she endorsed the fact that case of the petitioner is at par with that of co-accused, namely, Sanjay, Himanshu and Honey Kumar, who have been granted bail by this Court. She has produced on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered from the facts of the case that petitioner though has been named in the FIR however, no overt act has been alleged against him. The custody certificate produced, would reveal that the petitioner has suffered an incarceration of 01 year, 11 months and 03 days as on 04.05.2026. It further reflects that the petitioner has no criminal antecedents. Admittedly, co-accused of the petitioner, namely, Sanjay, Himanshu and Honey Kumar, have already granted the concession of regular bail vide orders dated 21.02.2025, 27.10.2025 and 23.01.2025 respectively.

6. 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.

7. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Thus, keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity.

8. Accordingly, the present petition is allowed and 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.

06.05.2026
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(RAJESH BHARDWAJ)
JUDGE

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