



CRM-M-27694-2026

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

CRM-M-27694-2026

Date of Decision: 21.05.2026

Dinesh

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ankuar Lal, Advocate, for the petitioner (through VC).

Ms. Diya Sodhi, Sr. DAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. This petition has been filed under Section 483 of the BNSS, 2023 seeking the concession of regular bail for the petitioner in FIR No. 49 dated 12.02.2024 under Sections 147, 149, 302, 323, 506 IPC registered at Police Station Rajendra Park, Gurugram, District Gurugram.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Mohammad Hadi @ Modana Alam. It was alleged that he is residing in Surabhi Labour Camp Mohmadheri from the last six months and one Awesh Alam is also residing in the same camp. On 11.02.2024, at about 08:30/09:00 p.m., the complainant heard a commotion and came out of his room. He saw that the Camp Incharge, namely Shiv Narain, along with 5–6 associates, was assaulting Awesh Alam. Thereafter, Shiv Narain and his companions pushed Awesh Alam towards his room and extended threats. Out of fear, the complainant hide himself in another room. Once the commotion stopped, he came out and found Awesh Alam lying dead. After some time, two persons, along with crane operator Rahul, arrived at the spot and attempted to shift the dead body to the hospital. However, the complainant and Ajmal intervened and prevented them from doing so. Thus, the request was made to



take legal action against the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner, namely, Dinesh, surfaced and thus, he was arrayed as an accused in the present case and resultantly, he was arrested on 01.10.2024. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Gurugram praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, learned Court dismissed the bail application filed by the petitioner vide order dated 31.07.2025. Earlier the petitioner approached this Court twice by way of filing CRM-M-44656-2025, however, the same was dismissed as withdrawn vide order dated 25.08.2025. Hence, the petitioner is again before this Court praying for grant of regular bail by way of filing the present second petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Gagan Bhardwaj @ Gagan. He has drawn the attention of this Court to the order dated 05.05.2026 passed in **CRM-M-4279-2026**, whereby, co-accused Gagan Bhardwaj @ Gagan, has been granted regular bail by this Court. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Gagan Bhardwaj @ Gagan.



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He has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested in this case on 01.10.2024. Co-accused, namely, Gagan Bhardwaj @ Gagan is on bail and as stated before this Court, case of the petitioner is at par with that of the co-accused. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 01 year, 07 months & 18 days as on 19.05.2026. It further reflects that the petitioner has no criminal antecedents.

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. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, 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.

7. Accordingly, the 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.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

21.05.2026

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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE