



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

Sr. No.288

**CRM-M-29219-2026
Date of Decision: 29.05.2026**

GAURAV KUMAR**...Petitioner****Versus****STATE OF HARYANA****....Respondent****CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU**

Present:- Mr. Sagar Panghal, Advocate
for the petitioner.

MANDEEP PANNU, J. (Oral)

1. The present is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 Cr.P.C.) seeking the concession of regular bail during the pendency of trial in FIR No. 241 dated 01.07.2025, registered under Sections 318(4), 319(2), 204 and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 420, 416, 170 and 120-B IPC) and Section 66D of the Information Technology Act, 2000, at Police Station Cyber East, Gurugram.

2. It has been submitted on behalf of the petitioner that an earlier petition seeking regular bail was dismissed by this Court on merits vide order dated 26.02.2026. It is, however, contended that subsequent thereto, co-accused Mohd. Sohail, Rishav Saini and Firoz have been granted the concession of regular bail by a Coordinate Bench of this Court vide orders dated 24.03.2026, 11.05.2026 and 14.05.2026 respectively. Learned counsel submits that the petitioner stands on the same footing as the aforesaid co-



accused and, therefore, on the principle of parity, he is also entitled to the concession of regular bail.

3. Notice of motion.

4. Mr. Vaibhav Sharma, AAG, Haryana, appears on behalf of the State and opposes the present petition. It is submitted that the earlier regular bail petition filed by the petitioner was dismissed by this Court on merits and there is no substantial change in circumstances warranting reconsideration of the matter. It is further contended that the mere fact that certain co-accused have subsequently been granted bail by a Coordinate Bench would not, by itself, entitle the petitioner to the concession of bail, particularly when his earlier petition has already been adjudicated on merits. The State, therefore, prays for dismissal of the present petition.

5. Having heard learned counsel for the parties and having perused the record, this Court finds no ground to grant the concession of regular bail to the petitioner.

6. It is not in dispute that the present petition is the second petition for grant of regular bail. It is also not disputed that the earlier regular bail petition filed by the petitioner was dismissed on merits by this Court vide order dated 26.02.2026. Therefore, while considering a successive bail petition, it is incumbent upon the petitioner to demonstrate the existence of a substantial change in circumstances occurring after the passing of the earlier order. The sole circumstance pressed into service by learned counsel for the petitioner is that certain co-accused, namely Mohd. Sohail, Rishav Saini and Firoz, have subsequently been granted the concession of regular bail by a



Coordinate Bench of this Court and, therefore, the petitioner is also entitled to the same relief on the ground of parity.

7. This Court is unable to accept the aforesaid contention as a ground, by itself, for grant of regular bail in the facts and circumstances of the present case. The earlier bail petition of the petitioner was considered and dismissed on merits. Apart from the grant of bail to the aforesaid co-accused, no other subsequent development has been pointed out. There is no assertion regarding any material change in the prosecution case, no substantial progress in the trial has been brought to the notice of this Court, nor has any other circumstance been shown which may warrant a reconsideration of the view already taken by this Court while declining bail to the petitioner. The grant of bail to a co-accused may, in a given case, be a relevant consideration. However, the same cannot be treated as an absolute proposition of law so as to automatically entitle every other accused to the concession of bail. More particularly, where an earlier bail petition has already been dismissed on merits, the Court is required to examine whether any fresh circumstance exists justifying a departure from the earlier view. Mere grant of bail to some co-accused, without anything more, cannot be construed as a sufficient change in circumstances so as to reopen the issue which already stands adjudicated upon by this Court.

8. This Court is of the considered view that the petitioner has failed to point out any substantial change in circumstances after dismissal of his earlier regular bail petition on merits. Consequently, no case is made out for interference or for grant of the concession of regular bail at this stage.

9. Accordingly, the present petition is dismissed.

10. It is, however, clarified that any observation made herein shall not be construed as an expression of opinion on the merits of the case and shall have no bearing upon the trial proceedings.
11. All pending applications, if any, also stand disposed of.

29.05.2026
Anu

(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned
Whether reportable

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Yes/No
Yes/No