

2026:PHHC:023602



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-59315-2025 (O&M)

Parvesh @ Bunty

...Petitioner

Versus

State of Haryana

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	11.02.2026
2	The date when the judgment is pronounced	16.02.2026
3	The date when the judgment is uploaded on the website	16.02.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

Mr. Ashit Malik, Senior Advocate with
Mr. Sagar Aggarwal, Advocate and
Mr. Abhinav Kaushal, Advocate
for the complainant.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in
case arising out of FIR No. 41 dated 29.01.2023, registered under Sections
148, 149, 307, 323, 379, 452 and 506 of IPC and Section 25 of Arms Act,
1959 (Sections 302, 325 and 201 of IPC added later on) at Police Station

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Murthal, District Sonipat.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by complainant Neeraj on 29.01.2023 alleging that on the morning of that day, he had gone to Village Badoli, when his wife telephonically informed him that the petitioner, along with other accused and some unknown persons, had entered into their house and had been assaulting his brother Dheeraj and parents, who had sustained injuries. On receipt of this information, the complainant rushed to his house and found his brother and parents in an injured condition, who were thereafter rushed to the hospital. Initially, a case under Sections 148, 323, 307, 325, 379, 452, 506 and 201 read with Section 149 of the IPC and Section 25 of the Arms Act was registered. Investigation proceedings were initiated. The victim later succumbed to his injuries on 30.01.2023. Inquest proceedings and post-mortem examination of the dead body of the victim were conducted. Offence under Section 302 IPC was added.

3. As per the further allegations, the petitioner was not arrested initially. The co-accused Baljeet, Balwan and Surinder were arrested on 30.01.2023. Thereafter, the present petitioner was arrested. He suffered a disclosure statement admitting his involvement in the crime and got recovered a wooden dao (dagger) at his instance. All other co-accused were also arrested and recovered the weapons respectively used by them. Investigation stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in the present case, as no specific injury or role has been attributed to him. In fact, no weapon has been recovered from him. It is further

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submitted that victim Dheeraj was a person with criminal antecedents and as many as 30 cases were registered against him. He had recently been released from jail and had attacked the house of the petitioner on the previous night. The petitioner has been in custody for a period of about 2 years and 6 months. He has clean antecedents. The trial is likely to take considerable time to conclude and further incarceration would not serve any useful purpose. Material witnesses have already been examined and there are no chances of the petitioner intimidating them or misusing the concession of bail. It is, thus, argued that the petition deserves to be allowed.

5. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, has argued that there are serious allegations against the petitioner, who, by forming membership of an unlawful assembly with the co-accused and in prosecution of the common object thereof, had actively participated in the crime, thereby assaulting the victims and causing the death of one of them, namely Dheeraj. The injuries sustained by the mother of the victim have been opined to be dangerous to life. On the principle of vicarious liability also, the complicity of the petitioner stands established. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has heard the learned counsel for the parties.

7. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of the common object thereof, they entered into the house of the victims and launched an attack upon them, resulting in the death of one of the victims, namely Dheeraj. The allegations *prima facie* show the common object of the members of the unlawful assembly, including the petitioner. The victim Dheeraj had sustained

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as many as 47 injuries on his person, whereas 10 injuries were sustained by his mother, which were opined to be dangerous to life. Even the father of the complainant had sustained injuries. The petitioner was named in the FIR. Specific weapons were attributed to him, and one dagger was recovered at his instance. The petitioner, along with the co-accused, stands accused of heinous crime punishable with capital punishment or imprisonment for life. While length of incarceration is a factor that weighs with the Court in considering bail, it cannot overshadow the seriousness of the accusation of murder under Section 302 of IPC. There exists a genuine apprehension that his release may imperil the course of trial and undermine the integrity of the trial and could pose a risk by influencing unexamined witnesses or tampering with evidence. It is well-settled proposition of law that grant of bail is a discretionary relief to be granted or denied based on specific facts and circumstance of each case and there cannot be any exhaustive parameters set out for considering the application for grant of bail. The factors such as nature of accusations, severity of punishment if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. That apart, reasonable apprehension of tampering with evidence or threatening the complainant is also to be weighed. Frivolity of prosecution should always be considered, and it is only the element of genuineness that has to be considered in the matter of grant of bail. In light of the foregoing legal principles, and having regard to the petitioner's role in the incident, the recovery of the weapon of offence at his instance and the reasonable apprehension of his absconding or tampering with evidence, this Court finds no compelling ground to grant bail to the petitioner. Accordingly, the petition is dismissed.

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8. It is clarified that any observation made in this order is only for deciding this petition and shall not influence the outcome of the trial and also not be taken as an expression of opinion on merits.

16.02.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No