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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-66159-2025

Kuldeep @ Babbal

.....Petitioner

versus

State of Haryana

..... Respondent

2. CRM-M-3597-2026

Happy

....Petitioner

versus

State of Haryana

....Respondent

Date of decision: 16.03.2026

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Tejas Bansal, Advocate
Mr. Ojas Bansal, Advocate (in CRM-M-66159-2025)
Mr. Ashu Kaushik, Advocate (in CRM-M-3597-2026)
for the petitioner(s).

Mr. Tanuj Sharma, A.A.G., Haryana assisted by
PSI Sukhbir Singh.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, this Court intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.

2. Petitioners have approached this Court by way of filing the present petitions praying for grant of regular bail to them in case FIR No.261 dated 21.05.2023, under Sections 147, 149, 323, 452 and 506 of IPC (Sections 201, 302, 325 IPC added later on), registered at Police Station Rania, District Sirsa, Haryana.

3. Succinctly, facts of the case are that the FIR has been registered on the statement of complainant, namely, Pala Ram. It was



alleged that on 16.05.2023 at about 09/09:30 PM, one Dula Ram, Ganesh, Richhpal, Vishal, Vikas, Hardeep and Happy (petitioner in CRM-M-3597-2026) in connivance with each other attacked complainant's nephew-Ramsharan with sticks and rods. It was further alleged that on the same day, a second attack was launched by Vishal, Vikas, Hardeep, Happy, Virender, Pawan, Chhinda, Rajat, Alisher and some other persons accompanying Alisher, upon the complainant, his brother-Mansa Ram and his nephew-Ramsharan. It was also alleged that on 23.05.2023, Mansa Ram (injured) succumbed to the injuries. Request was made to take legal action against the culprits. On registration of the FIR, investigation commenced and petitioner-Happy was arrested on 04.11.2024. During investigation, complicity of Kuldeep @ Babbal (petitioner in CRM-M-66159-2025) was surfaced on the basis of disclosure statement of co-accused and thus, he was also arrayed as an accused and was arrested on 06.04.2025. On completion of the investigation, challan was presented and on framing of the charges, trial commenced. Petitioners approached the Court of learned Additional Sessions Judge/Sessions Judge, Sirsa praying for grant of regular bail. However, after hearing counsel for the parties, both the petitions were declined vide orders dated 17.04.2025 and 15.09.2025, respectively. Hence, petitioners have approached this Court by way of filing the present petitions.

4. Learned counsel for petitioner in CRM-M-3597-2026, at the outset, pray for the grant of bail to petitioner-Happy, on the basis of parity with that of co-accused, namely, Ganesh. He has drawn the attention of this Court to the order passed by this Court in **CRM-M-17020-2024** dated 21.08.2024 whereby co-accused of the petitioner, namely, Ganesh has been granted the concession of regular bail. It is submitted that case of the



petitioners is at par with the co-accused, who has been granted bail by this Court.

5. Learned counsel for petitioner in CRM-M-66159-2025, has submitted that neither petitioner-Kuldeep @ Babbal, named in the FIR nor any role has been attributed to him. He submits that case of the petitioner is on better footing with that of co-accused, Ganesh, who has already been granted bail by this Court vide order dated 21.08.2024. He submits that the petitioner has been arrayed as an accused in the present case only on the basis of disclosure statement of co-accused, which is not even an admissible evidence.

6. Learned counsels for the petitioners have submitted that the petitioners are behind bars since the date of their arrest. It is thus, submitted that on the basis of the parity, petitioners deserve to be granted bail as case of the petitioners is similar to that of the co-accused, who has already been granted bail by this Court.

7. Separate replies in both the petitions by way of affidavit of Mr. Faisal Khan, Assistant Superintendent of Police, Ellenabad, District Sirsa, filed by learned State counsel, are taken on record.

8. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioners. He has endorsed the fact that case of the petitioners are at par with co-accused, namely, Ganesh, who has already been granted bail by this Court. He has produced custody certificates of petitioners, today in the Court, which are taken on record.

9. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioners are behind bars since the date of their arrest. Admittedly, co-accused of the petitioners, namely, Ganesh

has already been granted bail by this Court vide order dated 21.08.2024 passed in **CRM-M-17020-2024**.

10. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently 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 petitioners succeed in making out a case for grant of regular bail on the basis of parity. Accordingly, the present petitions allowed and the petitioners are ordered to be released on bail on their 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 cases.

11. In case the bail bonds are not furnished by the petitioners during the period of 07 days from today, then their further custody period after one week will not be counted in the present case.

16.03.2026
ps-I

(**RAJESH BHARDWAJ**)
JUDGE

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