

**IN THE COURT OF AJAY TEWATIA, SESSIONS JUDGE,
ROHTAK (UID No.HR0074)**

CIS No.BA-1197-2026
CNR No. HRRH01-006056-2026
Bail Application No.212 of 2026
Date of Institution: 08.06.2026
Date of Decision: 04.07.2026

Ashok alias Soki son of late Wazir, resident of VPO Nindana, Tehsil
Meham, Rohtak.

----Accused-applicant.

Versus

State of Haryana.

----Respondent.

Ist application for regular bail

Present: Mr. Govind Balhara, counsel for the applicant-accused.
Mr. Surender Pahwa, Public Prosecutor for the State.

ORDER:-

This is the first application for regular bail filed on behalf of
the applicant-accused Ashok alias Soki in case FIR No.228 dated
20.05.2022 under Sections 379-A read with Section 34 of the IPC & 25,
27 of the Arms Act, P.S. Kalanaur.

2. Notice of bail application was given to the State. Learned
Public Prosecutor has appeared on behalf of the State and filed reply to
the bail application. Arguments advanced by learned counsel for the
applicant-accused and learned Public Prosecutor have been heard and

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record has been perused.

3. The present case was registered on the complaint moved by Maha Singh son of Bhagwana wherein it was alleged that he alongwith his driver Vikram Singh went Gurgaon to meet his relatives in Creta car bearing registration No.HR-16Y-0811. After finishing his work, they were going back to Bhiwani. On the way, they stopped in Kalanaur to meet his cousin Dr. S.K. Arya. He parked his vehicle outside on the road. He alongwith his driver went inside the clinic for taking tea. Thereafter, the driver came out and sat in the car. After some time, his driver Vikram came to him and told that some boys snatched away his car at gun point. He alongwith his driver tried to chase them, but the car had gone far away. His driver told him that there were two persons at the spot. On the basis of aforesaid complaint, present FIR was registered.

4. Learned counsel for the applicant-accused argued that applicant-accused has not committed any offence. He has been falsely implicated in this case. Name of the applicant-accused is not mentioned in the FIR. Police has completed its investigation and has submitted challan/report under Section 173 Cr.P.C. in the Court. Trial of the case may take sufficient long time. Co-accused Rahul alias Tuli and Vikas alias Vicky have already been granted the concession of bail. No useful purpose would be served by keeping the applicant-accused in custody any further. Bail application of the applicant-accused may be allowed.

5. On the other hand, learned Public Prosecutor argued that the

applicant-accused has committed serious offence. Nine more criminal cases are pending against the applicant-accused. A countrymade pistol alongwith magazine and two cartridges used in the commission of offence has been recovered from the possession of the applicant-accused. Bail application of the applicant-accused may be dismissed.

6. Replying to the aforesaid contention of learned Public Prosecutor, learned counsel for the applicant-accused has argued that it is well settled law that pendency of other cases cannot be a ground to decline bail to an accused.

7. As per reply filed by the prosecution, the applicant-accused was arrested in this case on 24.06.2022 and since then he is in custody. The police has completed its investigation and has submitted the challan/report under Section 173 Cr.P.C. in the Court. Trial of the case may take sufficient long time. Co-accused Rahul alias Tuli and Vikas alias Vicky and have already been granted the concession of bail. Keeping in view the settled principle that “Bail is the rule and Jail is the exception”, this Court is of the opinion that no such compelling circumstances exist in the present case warranting continued custody of the applicant-accused.

8. Accordingly, the present **bail application is allowed**. The applicant-accused is ordered to be released in this case, on bail on his furnishing bail bonds in the sum of Rs.1,00,000/- with one surety in the like amount to the satisfaction of this Court/Duty Magistrate, with the following conditions:

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- 1) The applicant shall not directly or indirectly contact or influence the complainant or any prosecution witness.
- 2) The applicant shall regularly appear before the trial Court on each date fixed, unless exempted by the Court
- 3) The applicant shall not commit any offence or indulge in any act prejudicial to the fair conduct of the trial. .

9. In view of the order dated 31.01.2023 passed by the Hon'ble Apex Court in *SMWP (Criminal) No.4/2021 in "Re Policy Strategy for grant of bail v. Mr.Gaurav Agrawal, Advocate Curiae"*, copy of the order passed by this Court be sent to the Superintendent, concerned Jail, **through E-mail** for requisite compliance.

10. However, nothing observed here-in-above shall be construed to be an expression of opinion on the merits of the case. Papers be tagged with the main case file.

Pronounced in open Court:
Dated: 04.07.2026

'V.Luxmi'

(Ajay Tewatia)
Sessions Judge,
Rohtak (UID No.HR0074)

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Present: Mr. Govind Balhara, counsel for the applicant-accused.
Mr. Surender Pahwa, Public Prosecutor for the State.

Vide my separate order of even date, **the bail application has been allowed.** Papers be tagged with the main case file.

Pronounced in open Court:
Dated: 04.07.2026

‘V.Luxmi’

(Ajay Tewatia)
Sessions Judge,
Rohtak (UID No.HR0074)

(Ajay Tewatia)
Sessions Judge, Rohtak.