



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

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CRM-M-8001-2025  
Decided on : 18.02.2025

Sandeep Kumar

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

PRESENT: Mr. Kushager Goyal, Advocate  
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana  
assisted by SI Krishan Kumar, 839/SRS,  
P.S. Rori, Distt. Sirsa.

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**SANJAY VASHISTH, J. (Oral)**

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sandeep Kumar	177	08.11.2024	121(1), 132, 190, 191(2), 224, 304 of BNS, 2023 and Section 3 of Prevention of Damage to Property Act, 1984 (Section 304 of BNS, 2023 deleted lateron, during investigation)	Rori	Sirsa

2. Prosecution story is that on 07.11.2024 at about 6.30 PM, bus bearing registration No.HR-57-8836 of Haryana Roadways Depot Sirsa, was plying on the route from Sirsa to Alika, which was driven by driver namely Subhash Chander and name of the conductor is Naresh Kumar. On the day of incident, co-accused Sandeep @ Latu, his brother Popi, Gurpinder,



Pardeep, Mankha and 5-6 other boys armed with dandas reached there and caused injuries to the conductor Naresh Kumar and also tried to snatch the cash bag from him. When Naresh Kumar did not leave the cash bag, same got torned and thereafter, accused persons snatched the amount of Rs.30,000/- from the said bag.

Apart this, the ticket machine and window panes of the bus were damaged by the accused persons. When the complainant i.e. Driver of the bus attempted to save Naresh Kumar, all the accused fled away along with the respective weapons by threatening the conductor and driver of the bus.

3. Learned counsel for the petitioner argues that the name of the petitioner does not appear in the FIR version and he has been dragged in the case on the basis of disclosure statement of co-accused namely Baljinder Singh. Test Identification Parade (TIP) has not been conducted, therefore, identification of the petitioner is in question and he is inside jail since 10.11.2024. After the completion of investigation, challan has also been submitted. He further submits that petitioner is not accused in any other case also. Thus, prays for grant of bail.

In addition, learned counsel also submits that one of the co-accused i.e. Balbir (who is on the similar footings), has been granted concession of regular bail by this Court vide order dated 06.02.2025, passed in CRM-M-5944-2025, titled as, "Balbir v. State of Haryana". Therefore, claiming parity, learned counsel prays for grant of concession of regular bail to the petitioner.

4. On advance notice, learned State counsel puts in appearance



and submits that offence under Section 304 of BNS, 2023 was deleted because during investigation, it has been revealed out that accused never succeeded in snatching the cash amount of Rs.30,000/-. Apart this, learned State counsel is not in a position to dispute any of the factual contentions addressed by the petitioner's counsel.

5. I have heard learned counsel for the parties and gone through the record with their able assistance.

6. After hearing the learned counsel for both parties and carefully perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by the learned counsel for the petitioner. Furthermore, as the trial is yet to commence and its conclusion is likely to take considerable time, the Court deems it appropriate to consider all aspects of the matter. Apparently, petitioner's name has surfaced in the case based solely on the disclosure statement of a co-accused, placing a significant burden on the prosecution to establish the petitioner's involvement in the alleged crime.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here-above, I deem it appropriate to grant the concession of bail to the petitioner.

8. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any



threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. Petition stands disposed of.

(SANJAY VASHISTH)  
JUDGE

February 18, 2025

*J.Ram*

*Whether speaking/reasoned: Yes/No*

*Whether Reportable: Yes/No*