



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

253/1

**CRM-M-62407-2024 (O&M)
Date of Decision:- 14.05.2025**

SUNIL

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ajay Kripal Singh, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
217	24.05.2023	384, 387, 506 and 120-B IPC 25(6) of the Arms Act, 1959	Tehsil Camp, Panipat

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that no specific overt act is attributed to the petitioner but he has been nominated in the disclosure statement of co-accused with whom the petitioner has no concern nor has he participated in the alleged crime. He submits that the petitioner is in custody since 11.06.2023 and challan has



already been presented in Court and no witness has been examined till date. He submits that the conclusion of trial will take considerable long time, thus, prays for grant of bail.

3. On the other hand, learned State counsel has opposed the petition while referring to the reply filed by the State by arguing that the petitioner has actively participated in the crime and even after his arrest, one country-made pistol along with eight live cartridges were recovered from the possession of the petitioner, as such, he does not deserve the concession of bail.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that that the instant FIR was got registered by the complainant alleging that on 19.05.2023, an unknown person came to his shop and enquired from his brother about the whereabouts of the complainant and threatened to settle score with him. Thereafter, on 22.05.2023, the complainant got four video messages and one text message, whereby a ransom demand was raised, failing which, he was threatened to be eliminated.

6. A perusal of record would reveal that the petitioner was arrested in this case on 11.06.2023, after being nominated by co-accused Sandeep Singh @ Kekda in his disclosure statement, the evidentiary value of which is debatable. Even as per the reply filed by the State, the role attributed to the petitioner is that he had provided the phone number of the complainant to co-accused Kuldeep while being confined in jail. Although recovery of



country-made pistol and live cartridges was effected from the petitioner, but there is no allegation regarding use thereof by him in the present case or in any other case. Challan has already been presented and out of 20 witnesses cited by the prosecution, no witness has been examined till date. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

14.05.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No