

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

2025:PHHC:098621



234

CRM-M-11186-2025 (O&M)  
Date of decision:04.08.2025

Mohan

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Aakash Juneja, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

...

**Manisha Batra, J. (Oral).**

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.378 dated 21.06.2023, registered under Sections 307, 34, 506 IPC and Section 25 of the Arms Act, at Police Station Bhiwani Sadar, District Bhiwani.

2. The afore mentioned FIR was registered on the basis of a complaint submitted by complainant – Sandeep, who was working as a salesman at a wine shop in Village Talu, alleging therein that on 21.06.2023, he was present in the shop when four unknown youths reached there in a car at about 11:15 AM. They brought the vehicle in front of shop and while making exhortations to kill the occupants of the shop fired 4-5 rounds of pistols towards him with an intent to kill them. The petitioner had hidden himself in the backside of a refrigerator whereas his companion Parveen was shot at in the leg. After registration of the FIR, investigation proceedings

were initiated. During investigation, co-accused Rohit @ Nagra, Paramjeet @ Maddu were arrested. They suffered disclosure statements on the basis of which, the petitioner was nominated as an accused and had been arrested on 05.02.2024. Offence under Section 120-B IPC was added. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statements of the co-accused, on the allegations that the weapons used in the occurrence were purchased by the co-accused from him. He is in custody since long. The disclosure statements of the co-accused are not admissible in evidence. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, urged that the petition deserves to be allowed.

4. Per contra, It is argued by learned State counsel that keeping in view the gravity of allegations as levelled against the petitioner and his antecedents, he does not deserve to be released on bail.

5. I have heard rival submissions made by learned counsel for the parties.

6. The petitioner is alleged to have hatched a conspiracy with the co-accused and is further alleged to have supplied arms to them. No active participation in the occurrence has been attributed to him. He has not been identified by the material witnesses examined before the Court. Co-accused Rohit @ Nagra and Paramjeet @ Maddu have been extended benefit of bail. The petitioner is involved in some other cases but that alone cannot be considered to be a reason to deny benefit of bail to him. The petitioner has

earlier filed CRM-M-42667-2024 seeking benefit of regular bail, which was dismissed as withdrawn vide order dated 28.01.2025. The petitioner is not alleged to have directly participated in the occurrence, whereby firearms were used by the co-accused and is alleged to have supplied the same.

7. Keeping in view the nature of allegations levelled against him, part attributed to him and period spent by him in custody, coupled with the attendant facts and circumstances but without meaning to make any comment on the merits of the case lest the same prejudice the trial, I am of the considered opinion that the petition deserves to be allowed. Accordingly the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

**04.08.2025**

*harjeet*

**(MANISHA BATRA)  
JUDGE**

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