



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

CRM-M-29550-2025

Reserved on: 19th August, 2025

Pronounced on: 27th August, 2025

Deepak

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J :-

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. 558 dated 09.09.2023 registered under Sections 506, 307, 34 and 120-B of IPC and Section 25 of Arms Act at Police Station P.S. Bhiwani Sadar, District Bhiwani.

2. The aforementioned FIR was registered on the basis of a complaint submitted by complainant Vikram alleging that on the evening of 09.09.2023, he along with Hanuman, Sanjay, and Madan was present at his liquor vendor named as D.R. Wine, situated at village Manheru. His salesman Sandeep was also present there. In the meantime, three youths came there on a motorbike. One of them asked about his whereabouts and then fired a shot with a weapon in order to kill him, but the bullet hit the



bottles. Several persons had gathered there on hearing noises and then those youths fled, while extending threats to kill him. After registration of FIR, investigation proceedings were initiated. During investigation, accused Gaurav @ Bhagta was arrested. He suffered disclosure statement on the basis of which accused Aman and Uday Bhan have been nominated as such. They suffered disclosure statements to the effect that they had hatched a conspiracy to take revenge from the complainant, who had refused to give a Branch of liquor vend to the accused Gaurav @ Bhagta. The accused Vikas @ Bhatti was joined in that conspiracy and was given money and thereafter the accused Uday Bhan and Aman had brought 06 pistols and 16 cartridges for a sum of Rs. 1,20,000/- from the petitioner, who is resident of Madhya Pradesh. On their disclosure statements, the present petitioner was nominated as an accused. He was found to be confined in sub-jail, Dharampuri. His presence was secured by way of issuance of production warrants. He was formally arrested in this case on 04.12.2023. On interrogation, he too suffered disclosure statement to the effect that he used to make illicit weapons i.e. pistols and had sold some pistols and cartridges to the accused Gaurav @ Bhagta, Uday Bhan and Aman. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He is in custody since long. Trial will take considerable time to conclude since only 01 out of 27 prosecution witnesses is examined. Co-accused Aman has been extended benefit of bail. On parity, he too deserves to be released on



bail. No recovery has been effected from him. He had no motive to commit the subject offences. His involvement in other cases cannot be considered to be a ground for denying benefit of bail to him. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned State counsel that the petitioner has criminal antecedents as he is involved in as many as 10 cases, most of which are under the provisions of Arms Act. There are chances of his absconding, if extended benefit of bail. The allegations against him are serious in nature. It is, therefore, urged that he does not deserve to be released on bail.

5. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

6. The petitioner is alleged to have supplied illicit pistols and cartridges to the co-accused. One of such weapons had been used by the co-accused for firing shots at the liquor vend of the complainant and to make an attempt to kill him. The petitioner is in custody since 04.12.2023. Registration of other cases against him cannot be considered a reason for denying benefit of bail to him in this case. Trial will take time to conclude. Given the nature of the allegations as levelled against the petitioner coupled with the fact that the trial will take time as well as on parity, this Court is of the considered opinion that the petitioner deserves to be released on bail. Even otherwise, it is well settled proposition of law that bail is the rule and jail is an exception. In view of the above discussed facts, this Court is of the opinion that the petition deserves to be allowed. Hence, 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/Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

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

[MANISHA BATRA]
JUDGE

27th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*