



CRM-M-42525-2025

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

CRM-M-42525-2025

Date of Decision: 11.08.2025

Lakshay Kadyan

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rahul Bhargava, Advocate and
Mr. Parikshit Thakur, Advocate, for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present second petition praying for grant of regular bail in case FIR No.152 dated 01.05.2024 under Sections 307, 34, 387 IPC, Section 25 of the Arms Act (Sections 302, 411, 482, 120-B, 201, 202, 471 IPC and Sections 15, 25(6), 25(7), 27, 54, 59 of Arms Act added lateron), registered at Police Station Civil Lines, District Karnal.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of complainant Rakesh Kumar. It was alleged that his son Sumit (deceased) was running an office in the name of Balaji International Courier at Mughal Canal, Karnal. His son told the complainant that he had been threatened on phone by Daler Kotia gang to pay a ransom of Rs.1 crore. On 30.04.2024 at about 05:00 P.M., his son left for home after completing his work in the office. When his son reached in front of Rana Academy, Sector 14 on his motorcycle, two unknown boys riding on a motorcycle tried to kill him by firing bullets on him. One bullet hit on his right arm and two bullets on his stomach. His son was shifted to PGIMER, Chandigarh. Son of the complainant was not capable of giving the statement.



Thus, request was made to take legal action against the culprits. The injured Sumit succumbed to the injuries on 17.05.2024 and thus, the FIR which was initially registered for the offence under Section 307 IPC, was turned into Section 302 IPC. On the registration of the FIR, the investigation commenced. Co-accused i.e. the shooters were found to be Gaurav Bainsla and Sumit @ Sunny and they were arrested. On their disclosure statements, complicity of the petitioner was surfaced and thus, he was arrayed as an accused and resultantly, he was arrested on 14.05.2024. The petitioner approached the Court of learned Sessions Judge, Karnal praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 06.03.2025. Thereafter, the petitioner approached this Court by way of filing CRM-M-16070-2025 for the grant of regular bail, however, the same was allowed to be dismissed as withdrawn vide order dated 28.03.2025. Hence, the petitioner has again approached this Court praying for grant of regular bail by way of filing the present second petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that the petitioner has been implicated in the present case on the basis of disclosure statements of co-accused, who had fired at the deceased. It is submitted that the allegation against the petitioner is that the petitioner had arranged a room in the hotel for the co-accused. He submits that as per the case of the prosecution, the allegations against the petitioner is that he paid the amount for booking the room and thus, it is apparent that neither the petitioner was present at the time of occurrence nor he has fired gunshot on



the deceased. It is further submitted that the petitioner has been alleged to have been involved in the conspiracy for murder of the deceased along with the co-accused. It is submitted that the investigation is complete and charges have been framed and all the material witnesses already stand examined. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. She has submitted that complicity of the petitioner has been duly proved during the investigation. She submits that hotel owner had also deposed that it is the petitioner, who had booked the room. She has placed on record the custody certificate of the petitioner. On instructions, she has submitted that out of 53 prosecution witnesses, 06 witnesses have been examined.

5. After hearing counsel for the parties and perusing the record, it is deciphered that name of the petitioner surfaced on the basis of the disclosure statements of the co-accused. As per the case of the prosecution, the allegation against the petitioner is that it was the petitioner at whose behest the room was booked in the hotel, which was used by the main accused, who opened attack on the deceased. The custody certificate reflects that the petitioner has suffered incarceration of 01 year, 02 months & 09 days as on 09.08.2025. It further shows that the petitioner is involved in one more case.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from



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commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

11.08.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No