



CRM-M-39264-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219-2

CRM-M-39264-2025
Reserved on : 01.09.2025
Pronounced on : 09.09.2025

ANJU GARG

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present:- Mr. Gautam Dutt, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Brijender Kaushik, Advocate,
for the complainant.

SANJAY VASHISTH, J.

1. Present petition has been filed by the petitioner namely Anju Garg, aged about 55 years, for grant of regular bail, in case, FIR No.0026, dated 25.01.2025, under Sections 103(1), 109, 191(3), 190, 61(2) of BNS and Sections 25-54-59 of Arms Act, registered at Police Station Naraingarh, District Ambala.
2. FIR was got registered at the instance of complainant – Sudarshan Singh, naming therein total eight accused, i.e. (1) Ajay Garg, (2) Anju Garg (petitioner herein), (3) Tushar, (4) Nihal, (5) Arun, (6) Venkat Garg, (7) Sahil Sharma, and (8) Manish Mittal. Deceased – Harbilas was related as grandson of the real uncle (taya) of the complainant.



3. The case, as developed in the FIR, reveals that:-

about three years ago, one Puneet Dang @ Chunnu purchased a plot measuring 95 marlas from co-accused Ajay Garg through an executed agreement. Subsequently, Harbilas purchased the same plot from Puneet Dang @ Chunnu by paying the entire agreed amount. However, due to close relationship between the parties, Ajay Garg did not execute the sale deed in favor of Harbilas. With the value of the plot escalating over time, Ajay Garg began delaying the execution of the sale deed in Harbilas's favour. Eventually, a settlement was reached between Harbilas and Ajay Garg, whereby Harbilas and Puneet Dang @ Chunnu agreed to pay an additional amount of approximately two crore seventy-five lakh rupees due to the increased land value. Despite this, there remained a lack of trust between the parties. Ajay Garg appointed Munish Mittal (co-accused) as a middleman, who approached Puneet Dang @ Chunnu and instructed that payment intended for Ajay Garg should instead be passed on to Venkat Garg (co-accused), son of Avinash Garg and a family member of Ajay Garg, residing in Naraingarh. Venkat Garg was then to be responsible for executing the sale deed in favour of Harbilas on behalf of Ajay Garg. Acting on this arrangement, Manish Mittal and Puneet Dang handed over the amount to Venkat Garg. However, despite the payment, no sale deed was executed in favor of Harbilas. Furthermore, the additional amount paid was demanded back by Puneet Dang @ Chunnu from Manish Mittal if the execution of the sale deed was no longer intended.



4. *On the evening of 24.01.2025, at around 7:00 P.M., complainant stopped his car near the Government Petrol Pump and witnessed four to five boys firing gunshots. Upon entering the Sanjeev Shoe Palace shop, he saw his nephew, Harbilas, lying on the floor in a pool of blood. During the same incident, complainant also noticed that Puneet Dang @ Chunnu had sustained injuries and was being taken to PGI, Chandigarh, in an ambulance. There, in the ambulance, Puneet Dang @ Chunnu informed the complainant that Venkat Garg (co-accused) had called Goggle Pandit to return the money, and accordingly, he (Puneet Dang), Harbilas, and Goggle Pandit had travelled together in their Innova car, bearing registration number, HR 04K 9000 to collect the money from Venkat Garg. Complainant further stated in the FIR that when the trio reached Khera, Venkat Garg asked them to come near the shop of Babu. After reaching there, they were again instructed to proceed to Nawab Jassa Singh Ahluwalia Park, Naraingarh. When they arrived in front of the main gate of the park and stopped their vehicle, four to five unidentified boys suddenly opened fire on them, resulting in the death of Harbilas and causing injuries to Puneet Dang @ Chunnu.*

This is how the incident unfolded, as narrated by the complainant in the FIR.

5. Counsel for the petitioner, while advancing his arguments, submits that the deceased, Harbilas, and Puneet Dang @ Chunnu were both engaged in the business of property dealing, and the property in question was registered in the name of the petitioner, who is wife of one



of the accused, Ajay Garg. Apart from being the registered owner of the plot, petitioner has no other connection with the incident of murder currently before the Court.

It is further submitted that petitioner is a 55-year-old household lady, who is not expected to have any acquaintance with the other accused persons, who are not related to her family. During investigation, no material has been collected to indicate any telephonic conversation or meeting between the petitioner and co-accused regarding the demand for a higher amount or denial of execution of the sale deed.

6. Counsel for the petitioner also points out that it is an almost undisputed fact that petitioner was neither present at or near the spot at the time of the incident, nor did she instruct any of the accused to commit the crime in question. Presenting an alternative version, counsel argues that the dispute between the deceased Harbilas and petitioner's husband, Ajay Garg, had already been resolved through mediation by Manish Mittal, where it was agreed that the sale deed would be executed upon receipt of Rs.1 crore and 75 lacs. Since the agreed amount had not been paid to Ajay Garg, the sale deed was not executed. Any subsequent dispute, if it arose, could only have been at the instance of co-accused Manish Mittal or Venkat Garg, and not the petitioner in any manner.

Thus, counsel for the petitioner prays that, given the absence of any role on the part of the petitioner in the incident, she be granted the concession of regular bail by this Court.

7. On the other hand, learned State counsel produced the custody certificate dated 29.08.2025, in Court, which is taken on record.



Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 07 months and 03 days period inside jail, and there is no other case registered against her.

8. In response to the arguments advanced by learned counsel for the petitioner, learned State counsel submits that petitioner is one of the main accused, because it is she, who could have executed the sale deed, had it been clear intention in her mind. The prosecution alleges that petitioner could be the ultimate beneficiary of the amount involved and has played a vital role in the entire dispute. Therefore, she cannot absolve herself from liability as a conspirator in the commission of the heinous crime. Therefore, learned State counsel prays for dismissal of the present petition.

9. This Court has heard the submissions advanced by counsel for the respective parties and has carefully perused the record placed before it.

It appears undisputed that petitioner is the registered owner of the disputed plot. However, neither FIR nor any subsequent material alleges the petitioner's direct involvement in the transaction concerning the plot or in the killing of Harbilas. She is not alleged to have been present at or near the scene of the incident. Moreover, nothing has been brought forth by the petitioner's counsel to suggest that she was a party to the plot deal and she ever demanded any amount for execution of the sale deed, or that Manish Mittal was appointed by her as a middleman to



settle the amount. The prosecution merely alleges the petitioner as one of the conspirators; however, no specific instance or statement has been highlighted to establish that petitioner conspired with other accused persons on any particular date to commit the murder of Harbilas through the shooters.

Additionally, as per the custody certificate produced before this Court, petitioner is not a habitual offender, and is in custody since 27.01.2025, i.e., for approximately seven months and ten days.

10. The legislation, namely the BNSS Act, 2023, has also reiterated its intent to provide special provisions for the release on bail of certain categories of persons, including women, children, Sikhs, and infirm persons while they are in custody. For reference, Section 480(1) of the BNSS Act reads as under:

“480. When bail may be taken in case of non-bailable offence.

(1) When any person accused of, or suspected of, the commission of any non-bailable offence is arrested or detained without warrant by an officer in charge of a police station or appears or is brought before a Court other than the High Court or Court of Session, he may be released on bail, but-

(i) such person shall not be so released if there appear reasonable grounds for believing that he has been guilty of an offence punishable with death or imprisonment for life;

(ii) such person shall not be so released if such offence is a cognizable offence and he had been previously convicted of an offence punishable with death, imprisonment for life or imprisonment for



seven years or more, or he had been previously convicted on two or more occasions of a cognizable offence punishable with imprisonment for three years or more but less than seven years:

Provided that the Court may direct that a person referred to in clause (i) or clause (ii) be released on bail if such person is a child or is a woman or is sick or infirm:

Provided further that the Court may also direct that a person referred to in clause (ii) be released on bail if it is satisfied that it is just and proper so to do for any other special reason:

Provided also that the mere fact that an accused person may be required for being identified by witnesses during investigation or for police custody beyond the first fifteen days shall not be sufficient ground for refusing to grant bail if he is otherwise entitled to be released on bail and gives an undertaking that he shall comply with such directions as may be given by the Court:

Provided also that no person shall, if the offence alleged to have been committed by him is punishable with death, imprisonment for life, or imprisonment for seven years or more, be released on bail by the Court under this sub-section without giving an opportunity of hearing to the Public Prosecutor.

(2)xxxxxxxxx

(3) xxxxxxxx

(4) xxxxxxxx

(5) xxxxxxxx

(6)xxxxxxxxx

(7)xxxxxxxxx”



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11. In view of the discussions having been noticed here above, this Court deems it appropriate to consider the plea of regular bail to the petitioner in the present case.

12. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to her 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.

13. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

14. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

15. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

16. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

09.09.2025

Lavisha

Whether Speaking/Reasoned: ✓YES/NO
Whether Reportable: ✓YES/NO