



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

**CRM-M-40609-2025
Date of decision: 25.09.2025**

SHARAFAT

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Manvinder Singh Dalal, Advocate
for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

YASHVIR SINGH RATHOR, J. (Oral)

1. This is first petition under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.119, dated 24.02.2025, registered at Police Station Ladwa, District Kurukshetra under Sections 109(1), 3(5), 111(3) & 61(2) of BNS, 2023 and Section 25/54/59 of Arms Act.
2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.
3. Reply by way of an affidavit of Randhir Singh, Deputy Superintendent of Police, Ladwa, Kurukshetra filed on behalf of the State is taken on record.



4. The present case was registered on the basis of statement given to the police by Nirmla with the allegations that on 24.02.2025 at about 6.30 AM, someone knocked at the door of their house and when her husband Jai Parkash opened the door, one of the boy shot at him in the chest and thereafter, both of them fled away. Her husband was taken to the hospital for treatment in a private car, where he was medico legally examined. She alleged that she can recognize the assailants if they are shown to her. During investigation, one Deshraj was arrested on the basis of secret information and on interrogation, he disclosed the names of co-accused as Sharafat (petitioner), Suresh @ Muna and Sachin @ Sumit and during investigation, it was found that the weapon used in the commission of the crime had been purchased from Sharafat (petitioner) and he was also arrested on 21.03.2025. After completion of investigation, challan has been presented against the accused for trial.

5. Learned counsel for the petitioner contended that petitioner has been falsely implicated. He has been nominated as an accused on the basis of disclosure statement suffered by co-accused Deshraj and only role attributed to him is that pistol was sold by him to the main accused. He was not involved in the commission of crime and provisions of Section 109(1) of BNS are not attracted against him. Learned counsel contended that petitioner is in custody since 21.03.2025. The trial is likely to take sufficiently long time to conclude and no useful purpose will thus be served by detaining the petitioner in custody any more and he may be released on bail.

6. On the other hand, learned State counsel has opposed the bail and argued that petitioner has committed a heinous offence and he does not



deserve the concession of regular bail.

7. Petitioner has been nominated as an accused in the disclosure statement by main accused namely Deshraj as the person from whom weapon was allegedly purchased. As to how much evidentiary value will be attached to the said disclosure statement shall be seen during the trial after the prosecution leads its evidence. However, it is not in dispute that the petitioner was not amongst the shooters and was also not involved in hatching of any conspiracy to commit the crime. Petitioner is in custody since 21.03.2025. Challan has already been presented after completion of investigation. The trial will certainly take a long time to conclude and in these circumstances, further detention of the petitioner is not required and he is entitled to be released on bail.

8. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

9. Pending misc. application(s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

25.09.2025
Priyanka Thakur

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No