



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

101

CRM-M-35248-2024(O&M)

Date of decision: 08.10.2025

Pardeep

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Sanjeev Kadian, Advocate and
Mr. J.P. Jangu, Advocate, for the petitioner.

Dr. (Ms.) Malvika Singh, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The instant first petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (now Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023), for grant of regular bail in case bearing FIR No. 25 dated 05.02.2022, registered under Section(s) 25, 54, 59 of the Arms Act and Sections 302, 120B and 34 of the Indian Penal Code, 1860 at Police Station Mohana, District Sonapat.

2. Briefly summarized, the case of the prosecution is that on 05.02.2022, complainant Jagwanti wife of late Raj Singh, resident of village Tihar Malik moved an application wherein she has stated that:-

"She is resident of above said address. She is house wife and her age is about 70 years. She has two sons and two daughters, out of them, two daughters and one son are married and youngest son Parveen aged 38 years has not yet married, who worked as agriculturist. Today, on 05.02.2022 at about 9.50 a.m, Parveen had gone to field from the house, on motor-cycle bearing registration No. HR-11-D-0397, for taking fodder of buffaloes. Around 11.30 a.m, she received information from one



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Deepak son of Gulab, resident of Tihar Malik {who is in her family) that Parveen has been murdered by firearm shots while coming from field and on this, she in the company of Deepak went to the place of incident on the motor-cycle in the field of Rajpal son of Deepak resident of Tihar, where dead body of her son was lying on the road in the way, whereas, motor-cycle and fodder bundle were lying near him and saw that her son received four bullets in his body. About 5-6 months ago, her son Parveen was having cross talk/spat over petty issue with Ajay son of Samunder, which was resolved in village, but Ajay was nursing grudge in his heart and so, Ajay son of Samunder resident of Tihar Malik, Kulvir son of Rajpal, Wazir son of Rajpal, Pardeep son of Surender, (applicant-accused) Mona son of Balbir, Manjit son of Surender residents of village Tihar Malik, in collusion with others, while nursing grudges in their heart, murdered her son by firearm shots and so action be initiated. She does not know how to write and she got written the application through her son-in-law Jagdish s/o Dayanand r/o Bhadi, who had come at the spot after receiving information."

3. On the basis of the above application, the present FIR No.25 dated 05.02.2022 was registered under Sections 148 and 302 IPC read with Sections 149 of the IPC & 25 of Arms Act. During investigation, petitioner-accused Pardeep was arrested on 14.02.2022. After completion of investigation, police prepared the charge sheet against accused Ajay, Mona, Samunder and petitioner-accused Pardeep and filed it in the Court.

4. Learned counsel for the petitioner inter alia contends that the petitioner has been in judicial custody since 14.02.2022 and has already undergone an actual custody of more than 03 years and 07 months. He



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further contends that 05 prosecution witnesses yet remain to be examined. It is further contended that as per the allegations levelled by the prosecution, the petitioner is alleged to have fired two shots, one of which was on the chest and the second on the head, however, class marking on the cartridge does not match the firearm recovered from the petitioner. He thus argues that the injuries in question cannot be attributed to the petitioner. He further contends that the other gun fire shot is attributed to Mona @ Praveen. It is further submitted that the petitioner did not have any motive and the dispute was with the other co-accused and not with the petitioner and that the said co-accused has already been granted concession of regular bail. It is further argued by the counsel for the petitioner that the prosecution does not have any other incriminating evidence against the petitioner and the case of the prosecution does not stand corroborated by the FSL report.

5. Learned counsel for the respondent-State, however contends that the eye-witnesses qua the prosecution have been examined and incriminating evidence vis the weapon, the projectiles and the cases has already been recovered. She further submits that the trial has proceeded substantially and only 05 witnesses remain to be examined. She further does not dispute the fact that the petitioner has already undergone an actual custody of more than 03 years and 07 months and that he is not involved in any other case.

6. I have heard learned counsel for the parties and have gone through the documents appended along with the present petition.

7. Taking into consideration the period of actual custody of the petitioner, the stage of the trial and bearing in mind that the conclusion of



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the trial is likely to take a long time, I deem it fit to allow the instant petition.

8. Accordingly, the instant petition is **allowed** and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

9. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

08.10.2025

**(VINOD S. BHARDWAJ)
JUDGE**

Sumit Gusain

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