

CRM-M-28131-2025

2025:PHHC:110638



::1::

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

(217)

**CRM-M-28131-2025 (O & M)
Date of Decision:-21.08.2025**

Badal

.....Petitioner.

Vs.

State of Haryana

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. M.D. Khan, Advocate, for the Petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail in case FIR No.011 dated 19.01.2021 under Sections 302, 307, 395, 397, 458, 460 IPC and 25 of the Arms Act registered at Police Station Kalanwali, Distt. Sirsa.

2. The present FIR came to be registered at the instance of Parveen Rani and reads as under:-

To, S.H.O. Saheb Kalanwali, I am Praveen Rani W/o Mahavir S/o Ram Kishan alias Kalu Ram resident of Ward No. 3, today on 19.01.2021 at around 1 in the night, I and my husband, father-in-law Ram Kishan, mother-in-law Palo Devi, sister-in-law Kanta and Kiran, grandmother-in-law Sarwati were sleeping in our respective rooms in our house. We heard the sound of 5/6 men opening the door loudly. I and my husband Mahavir opened the door and saw that their faces were covered



::2::

and they had pistols and sticks in their hands. Out of fear, we immediately closed the door. They hit my mother-in-law Palo Devi, father-in-law Ram Kishan and sister-in-law Kiran with sticks, pushed my grandmother-in-law Sarwati against the wall, took away the earrings from Kiran and Kanta's ears, broke the locks and took away the cash and jewellery kept in the cupboard and small box. When we raised an alarm, the neighbours came and they fired and ran away. In which Ankur Verma S/o Bhagram got shot on his leg and has been taken to the hospital for treatment. My husband and mother-in-law and father-in-law know about the cash and jewellery. 5/6 unknown persons entered in our house and beat us and took away our cash and jewellery.

Strict action should be taken against them. SD/ Parveen.

3. During the course of the investigation, the petitioner and his co-accused came to be nominated as accused.

4. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The complainant-Parveen has not supported the prosecution case. One Shanker has been granted the concession of bail. As the petitioner is in custody since 28.09.2022 but only 03 out of the 53 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

5. The learned counsel for the State while referring to the reply dated 21.07.2025 and the Annexures R-1 to R-3 i.e. statements of PW-1/Bhag Ram, PW-2/Smt. Parveen Rani and PW-3/Kanta Rani filed alongwith the application which has been filed in Court today, contends that the petitioner was nominated as an accused during the course of investigation. PW-1/Bhag Ram, the father of the deceased-Ankur Verma



::3::

has duly identified the petitioner and his co-accused during the course of his deposition. The petitioner is also a habitual offender being an accused in two other cases arising out of FIR No. 06 dated 05.01.2022 under Sections 323/458/285/506/307/181/188/395/397/459 IPC and Section 25 of the Arms Act, Police Station Uklana and FIR No.577 dated 17.10.2017 under Sections 397/394/457/201 IPC and Sections 25/54/59 of the Arms Act, Police Station City Fatehabad. Therefore, he is not entitled to the concession as prayed for. He, however, concedes that the petitioner is in custody since 28.09.2022 and that only 03 out of the 53 prosecution witnesses have been examined so far.

6. I have heard the learned counsel for the parties.

7. A perusal of the material on record would reveal that the allegations against the petitioner and his co-accused are grave. It is a case of dacoity and murder. The petitioner has been duly identified by PW-1/Bhag Ram, the father of the deceased. He is also a habitual offender with two other cases of a similar nature pending against him. Merely because a co-accused has been granted the concession of bail is not a sufficient reason for the petitioner also to be granted the similar concession. Particularly, in the context of his antecedents.

8. In view of the above, I find no merit in the present petition and the same stands dismissed.

9. The pending application(s), if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

August 21, 2025

sukhpreet

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No