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

CRM-M-54874-2024 (O&M)

Date of Decision:08.08.2025

Deepak

...Petitioner

Vs.

State of Haryana

...Respondent

(ii)

CRM-M-54916-2024 (O&M)

Pardeep

...Petitioner

Vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. Aditya Sanghi, Advocate with
Mr. Himanshu Garg, Advocate
Mr. Pranav Arora, Advocate
Advocate for the petitioner (s).

Mr. Rajeev Sidhu, Sr. DAG, Haryana.

N.S.Shekhawat J. (Oral)

CRM-30441-2025

Application is allowed as prayed for, subject to just all exceptions.

Annexures P-8 and P-9 are taken on record.

Main case(s)

1. This order shall dispose off two bail petitions i.e CRM-M-54874-2024 (O&M) titled as "**Deepak Vs. State of Haryana**" and CRM-M-54916-2024 titled as "**Pardeep Vs. State of Haryana**", whereby the petitioners have prayed for grant of regular bail in case arising out of FIR No.85, dated 06.05.2023 registered under Sections 120-B,201,302,34 of IPC



and Section 25 of Arms Act (charges framed under Sections 120-B,302,149,201 of IPC and Section 25-Arms Act) Police Station Alewa, District Jind, Haryana.

2. The FIR in the present case was registered on the basis of the statement made by Suresh Kumar son of Pala Ram and has been reproduced below:-

Statement of Suresh Kumar s/o Pala Ram s/o Chandagi Ram Caste Chamar resident of Khanda District Jind, age 45 years old, Mobile No. 8295501572. Stated that I am a resident of the above address and do labor work, I have passed 7th class and I have three children, the eldest son was Sukhbir and his younger daughter is Priyanka and youngest daughter is Anshu and my son Sukhbir performed love marriage with Ritu daughter Late Ramnivas, caste Valmiki, resident of Palgha, Kaithal about two years ago. Ritu's brother Gurmeet and Manish, sons of Ramnivas and mother Rani, wife of late Ramnivas, were not happy with this marriage. Rani's husband had died about 10/11 years ago. After the death of Rani's husband, she had become friend with Pradeep alias Vicky son of Ramkumar caste Chamar resident of Pegha. Due to this friendship Vicky had left his wife and started living with Rani in Kaithal. Yesterday dated 05-05-2023 time around 7.00 p.m. Pradeep son of Ishwar caste Chamar resident Khanda District Jind called my son Sukhbir telephonically and took him along to the hotel built on Sarhada road from my village. Pradeep and Sukhbir took snacks etc. there and started walking. My daughter-in-law Ritu told me that Sukhbir has not come home, he has gone with the neighbor Pradeep son of Ishwar resident Khanda, Sukhbir had told her over the phone. You go and brought him back. Upon which I went to Saharda Road to see my son Sukhbir, then I saw that 3/4 boys were beating my son. When I went near and saw, then right in front of my eyes Pradeep aka Vicky was attacking with a sharp weapon having In his hand. I



shouted "killed killed" then hearing my shout Pradeep alias Vicky fled from the spot with his companions. I and my family members shifted him to Alewa hospital by arranging vehicle. Doctor Sahab referred my son to Jind hospital, Jind. Where Doctor sahib declared my son Sukhbir as dead after seeing him. My son has been murdered by Pradeep alias Vicky resident of Pehga and his companions. Legal action should be taken against them. The statement got recorded which was read and heard, that is correct. SD Suresh."

3. Learned counsel for the petitioner has vehemently argued that Pardeep (petitioner in CRM-M-54916-2024) has been named by the complainant in the FIR, but no specific role has been assigned to him. It has been wrongly stated that he had called Sukhbir, since deceased telephonically and on his asking, Sukhbir had reached the place of occurrence. After his reaching at the spot, Pardeep @ Vicky, co-accused/non-applicant inflicted blows with a sharp edged weapon on him. He further contends that even the knife used in the crime was recovered from Pardeep @ Vicky, co-accused/non-applicant and no recovery was effected from the petitioner. The petitioner was arrested in the present case on 20.05.2023 and is in custody since then.

4. Learned counsel appearing on behalf of Deepak (petitioner in CRM-M-54874-2024) was not named in the FIR nor any overt act has been attributed to him. During the course of investigation, it has been alleged that Deepak was also present along with Pardeep @ Vicky, co-accused and Pardeep son of Ishwar(petitioner in CRM-M-54916-2024), however, no specific role has been attributed to him also. He next contends that the petitioner was arrested in the present case on 20.05.2023 and is in custody since then.



5. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner(s) on the ground that both the petitioners were present at the place of occurrence and Sukhbir, since deceased was brutally murdered by inflicting knife blows. However, he does not dispute the fact that both the petitioners were simply shown at the place of occurrence and no other act has been attributed to them.

6. I have heard the learned counsel for the parties and perused the record carefully.

7. In the present case, both the petitioners were arrested on 20.05.2023 and are in custody for the last more than two years and two months. Even, both the petitioners are simply stated to be present at the place of occurrence and no injury has been attributed to them. Moreover, in the present case, five material witnesses have already been examined and only official witnesses are to be examined in future. Thus, both the petitioners are not in a position to influence the witnesses. Apart from that, Rani, co-accused has been granted the concession of bail by this Court in CRM-M-62649-2024 on 20.01.2025.

8. Without commenting on the merits of the case, the present petition(s) is allowed. The petitioner(s) is ordered to be released on bail pending trial on their furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade them to disclose such facts to



the Court or to any other authority.

(ii) The petitioners shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioners shall not absent themselves from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioners shall surrender their passport, if any, (if already not surrendered), and in case they are not holder of the same, they shall swear an affidavit to that effect.

(v) The petitioners shall also file their affidavits before the concerned Court, mentioning their ordinary place of residence and number of mobile phone, which shall be used by them during the pendency of the trial. In case of change of place of residence/mobile number, they shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioners are involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioners.

9. In case, the petitioners violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to them shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

10. Pending application(s), if any, stand(s), disposed of, accordingly.

(N.S.SHEKHAWAT)
JUDGE

08.08.2025
hitesh

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