



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

**CRM-M No.51804 of 2024
Date of Decision: 27.03.2025**

Bhagat Singh @ Bhagta

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Robin Lohan, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Ms. Nidhi Dahiya, Advocate for
Mr. Deepender Singh, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.0299, dated 03.08.2023, under Sections 398, 401 of IPC and Section 25(1-B)(a)/ 54/ 59 of Arms Act, registered at Police Station Sadar Hansi, District Hisar, Haryana.

2. Succinctly the facts of the case are that the police party while on patrolling on 03.08.2023 received a secret information to the effect that two boys duly armed and standing with a bullet motorcycle were spotted under the Hansi Bypass Bridge on Sheikhpura Road and apparently plotting to rob passersby. On finding the information reliable, the police party reached the disclosed place where they saw two young



boys standing on both sides under the bridge, each one of them holding a weapon. Both the boys signalled them to stop by showing weapons. Vehicle was stopped and two armed boys immediately surrounded them but with the help of police party, both were apprehended. On asking, they disclosed their names as Parmod @ Rajat and Navdeep @ Ankur. From the possession of Parmod @ Rajat, one pistol having four rounds in the magazine and one round in chamber was recovered. There was a bag carried by him in which again total four pistols, two mobile phones (one Samsung and one Iphone) along with rounds were recovered. From the possession of Navdeep @ Ankur, one pistol having five rounds in magazine and one round in chamber and bullet motorcycle having registration No.HR-21-P-4547 were recovered. The FIR was registered and both were arrested on the spot. During investigation, complicity of the petitioner was found and thus he was arrested on 25.08.2023. The petitioner approached the Court of learned Additional Sessions Judge, Hisar praying for the grant of bail. However after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Hisar declined the petition filed by the petitioner vide his order dated 19.09.2024. Hence being aggrieved the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that petitioner has been falsely implicated in this case. He has submitted that the petitioner has been implicated in the present case on the basis of disclosure statement made by co-accused, Parmod @ Rajat, which is not an admissible evidence. He has submitted that the



investigation is complete and the petitioner is in custody since 25.08.2023. He, at the outset, prays for the grant of bail on the basis of parity with that of the co-accused, who have been granted bail by this Court. He has drawn the attention of this Court to the order passed by this Court in **CRM-M No.60988 of 2023 & CRM-M No.3885 of 2024** dated 30.07.2024 whereby co-accused of the petitioner, namely, Sahil @ Bhedu and Sandeep Rathi @ Lathi have been granted the concession of bail. He has submitted that case of the petitioner is at par with the co-accused, who have been granted bail by this Court. It is submitted that the petitioner is behind bars since the date of his arrest and there being no prima facie case made out against him, his incarceration is totally unwarranted. He has submitted that thus on the basis of the parity, the petitioner deserves to be granted bail as case of the petitioner is similar to that of the co-accused, who have already been granted bail by this Court.

4. Custody certificate of the petitioner dated 26.03.2025 has been filed by learned State counsel today in the Court and the same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

5. Learned counsel for the complainant has opposed the submissions made by learned counsel for the petitioner.

6. Learned counsel for the State although has opposed the prayer of the petitioner for granting him bail yet endorsed the fact that the case of petitioner is at par with the co-accused, namely, Sahil @ Bhedu and Sandeep Rathi @ Lathi, who have already been granted bail by this Court. He has submitted that the challan is presented but charges are yet



to be framed. He has submitted that the petitioner is involved in one more case.

7. Heard.

8. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner has been implicated in this case on the basis of disclosure statement of co-accused, Parmod @ Rajat. The petitioner is in custody since 25.08.2023. The challan is presented but the charges are yet to be framed. Custody certificate shows that the petitioner has suffered incarceration of 01 year, 06 months and 29 days as on 26.03.2025. It further reflects that the petitioner is involved in one more case.

9. This Court would refrain itself from commenting anything on the merits of the case. The petitioner is in custody since the date of his arrest i.e. 25.08.2023 and co-accused, namely, Sahil @ Bhedu and Sandeep Rathi @ Lathi, whose case is stated to be at par with the petitioner, have already been granted bail by this Court vide order dated 30.07.2024. The petitioner is involved in one more case. Challan is presented and the charges are yet to be framed.

10. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail on the basis of parity as the



co-accused, namely, Sahil @ Bhedu and Sandeep Rathi @ Lathi have already been admitted to bail by this Court as stated above.

11. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case. However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

27.03.2025

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**(RAJESH BHARDWAJ)
JUDGE**

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