



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

208

CRM-M-50477-2024

Date of decision: September 22, 2025

JASBIR @ RAJE

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Anuj Tanwar, Advocate
for the petitioner.

Mr. G.S. Chhina, Sr. DAG, Haryana
with ASI Manjit Singh.

MANJARI NEHRU KAUL, J.(ORAL)

1. The instant petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.155 dated 16.04.2024 under Sections 148, 149, 302, 307, 120-B of Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Meham, District Rohtak (Annexure P-1).

2. Mr. Anuj Tanwar, Advocate has put in appearance on behalf of the petitioner, and placed on record his Power of Attorney in the Court today after obtaining NOC from the earlier counsel.

3. Learned counsel for the petitioner submits that the petitioner was nominated as an accused following a supplementary statement made by the complainant Ram Niwas; the only role attributed to the petitioner in the present case, which rests on circumstantial evidence, is of having conspired with the co-accused in carrying out the murder of the deceased Wazir. It has



been argued by the learned counsel that even as per the case of the prosecution, the petitioner did not have any direct motive to carry out the crime in question, much less lend any tacit support to the prime accused Ankit @ Godhu. It has still further been submitted that as per the case of the prosecution, Labh Singh, who was allegedly accompanying the prime accused Ankit @ Godhu, who carried out the crime in question, handed over the bag containing weapon of offence to the petitioner. However, learned counsel asserts that concededly, the bag containing weapon of offence was not recovered from the possession of the petitioner, much less following any disclosure statement made by him.

4. Learned counsel for the petitioner has, therefore, argued that it is apparently a case of false implication in the absence of any qualitative evidence gathered by the prosecution directly or even indirectly connecting the petitioner with the murder in question.

5. On being pointedly asked as to whether the petitioner has any previous criminal antecedents, learned counsel for the petitioner has categorically replied in the negative.

6. *Per contra*, learned State counsel, while vehemently opposing the prayer and submissions made by the counsel opposite, has neither disputed the custody period of the petitioner nor has he disputed that the only role attributed to the petitioner is of being a conspirator; no recovery of any weapon of offence has been made from the petitioner.



7. On being pointedly asked, learned State counsel, on instructions, has also conceded that the firearms used to commit the crime had neither been procured from the petitioner nor were they recovered from his possession or pursuant to any disclosure statement made by him. However, it has been asserted that soon after the occurrence in question, the bag containing the weapon of offence had been handed over to the petitioner by co-accused Labh Singh, who was accompanying the prime accused to the place of occurrence. On a further query, learned State counsel has not disputed that the petitioner is not involved in any other criminal case, nor has it been disputed that as on date, only prosecution witnesses out of the 41 have been examined-in-chief.

8. Learned State counsel nonetheless has reiterated the allegations made in the FIR (Annexure P-1), which stands reproduced hereinunder: -

“To, The S.H.O., Police station Meham. Sir, It is requested that I, Ram Niwas son of Tara Chand, am the resident of village Nidana, District Rohtak and am a Zimidar. We are five brothers. The eldest one is Shamsher, younger to him is Satbir, younger to him, myself, younger to me is Wazir and the youngest one is Krishan. All the brothers are married and are living separately with our families and children. The eldest brother Shamsher and Wazir are living in Loharu alongwith their families and children. In the year 2018, Jai Bhagwan son of Ramehar, resident of Nidana had got registered an FIR No.706 of 2018 under Section 148/149/323/324/452/506 IPC, Police station Meham, against me and my family. The same was listed for hearing in the Meham Court. Today I and my brother Wazir and Krishan son of Bhim Singh and Deepak son of Bhim Singh and Sanjit son of Shamsher, resident of Nidana had come to the Meham Court for hearing. Upon getting the date of hearing from Meham Court, I and my brother Wazir and my wife Guddi, after purchasing the household articles, had reached Bhiwani Stand, Meham. My brother was waiting for the bus for Bhiwani



and I and my wife had come back. At the same time, there was a sound of firing. I saw upon going near, and saw that two boys on one motorcycle were firing on my brother Wazir. With them, in a white car of DL number, four-five persons were sitting. The car was parked near to the motorcycle. There was an enmity with regard to the earlier case, between our family and the family of Ankit alias Godhu. Due to that enmity, Ankit alias Godhu son of Ranbir, resident of Nidana in connivance with his family members Rahul son of Ramesh alias Thutti, Ranbir son of Sarju and wife of Ranbir and Sahil alias Dhala, resident Nidana and his friends, has murdered my brother Wazir by opening firing on him. We have come to know that Babloo Numberdar son of Inder Singh, resident of Kishangarh has also suffered the bullets in this incident, whose treatment is going on in PGI, Rohtak. Strict legal be taken against all of them. In this incident, the son of Raju Langra is also involved. Legal action be also taken against him.”

9. I have heard learned counsel for the parties and perused the relevant material placed on record.

10. The petitioner has been in custody since 25.04.2024 in a case resting on circumstantial evidence. As not disputed, there is no direct motive attributed to the petitioner to have conspired with the co-accused to commit the murder in question. The only role, if any, attributed to the petitioner is of having received the bag containing the weapon of offence, which was allegedly concealed by him thereafter.

11. Be that as it may, without commenting upon the merits of the case, and keeping in view that the petitioner has no previous criminal antecedents, coupled with the fact the trial is unlikely to conclude in the near future with 39 prosecution witnesses still remaining to be examined, this Court deems it fit to admit the petitioner to bail.



12. Accordingly, the instant petition is allowed, and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

13. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to him.

September 22, 2025

Jaspreet Kaur

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*