



CRM-M-37942-2025

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

CRM-M-37942-2025

Date of decision: 18.08.2025

Parveen @ Bhim

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Pradeep Chhokar, Advocate,
for the petitioner.

Dr. Jasmine Gill, AAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
229	13.04.2024	Samalkha, Distt. Panipat	148, 149, 195-A, 285, 506, 120-B IPC and 25 of Arms Act (Sections 285 of IPC and 25 of Arms Act has been deleted later on)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. As per paragraph 12 of the bail petition, the petitioner has no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

"2. xxx

(i) That on 12.04.2024, Parveen S/o Puran R/o Village Chulkana, P.S Samalkha, District Panipat came in the Police Station Samalkha and presented a written complaint. The contents of the complaint are reproduced below for the ready reference of the Hon'ble Court as under:

"I, Praveen S/o Puran, is resident of Village Chulkana and I do agricultural work. On 26.07.2018, Rishi S/o Shyam Lal, R/o Chulkana along with his companions had murdered son of my uncle Sompal S/o Ruhna Ram Ro Chulkana and the police during investigation had registered a case and arrested Rishi and his companions. This case is pending before court and they remained confined in jail. Today on 12:04.2024, Rishi has come to the village in the evening after his release on bail. Above Rishi came with a convoy of cars and about 20- 25 cars were with him and there were total of about 70-80 persons including Rishi S/o Shyamlal, Sandeep S/o Shyamlal, Sonu S/o Pritam, Vishal @ Dhuma S/o Ashok and many other persons. I can recognize them if they are brought before me. They came



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with the convoy and firstly they stated bursting crackers in the street outside the house and also fired two shots and started making so much noise. We do not know as to who out of them fired. Seeing this terror I and my entire family did not come out of the house due to fear. If we had come out of the house then they could have also killed us. I or any of my family members have not received any injury. Above Rishi was saying that if I gave statement against him then he will kill me. I and family members are having a threat of life from Rishi and his companions. Strict action be taken against him."

4. The petitioner's counsel seeks bail on the ground of parity with co-accused, namely, Ashu, Rohtash @ Sonu @ Motta, Vipin, Ravi Kumar, who had been granted the benefit of bail, vide orders dated 29.11.2024, 31.05.2024, 19.07.2024 and 23.07.2024 passed in CRM-M-43375-2024, CRM-M-26905-2024, CRM-M-31057-2024 and CRM-M-30294-2024 respectively (Annexures P-2 to P-5 respectively).

5. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

6. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

7. The State's counsel opposes bail and refers to the status report.

8. It would be appropriate to refer to the following portions of the status report, which reads as follows:

"3.(B) The evidence against the petitioner:

(i) The disclosure statement of co-accused Sandeep, Annexure R-1.

(ii) The CCTV footage collected from the Shyam Temple, Chulkana situated near to the place of occurrence also revealed that he was present along with the other co-accused persons. (Annexure R-2).

(iii) The petitioner has also admitted to his role in crime, Annexure R-3.

(C) The role of the petitioner:

That the role of the petitioner (Parveen @ Bhim) in the crime, as per the material brought on the police file is that his name surfaced in the case from the disclosure statement of the co-accused Sandeep. It was found that he in conspiracy with co-accused Rishi and others gathered outside the house of the complainant (witness in Rishi's case i.e. FIR No. 464/2018 dated 27.07.2018 u/s 148, 149, 195-A, 302, 506, 120-B of IPC and Section 25 of Arms Act) with the intention of pressurizing the complainant and spreading terror among family members of complainant. They fired crackers outside the house of complainant and thereafter fled away from the spot after extending life threats to the complainant. The petitioner has



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also admitted to his role in crime in his disclosure statement, Annexure R-3."

REASONING:

9. The benefit of bail had already been given to the co-accused, vide Annexures P-2 to P-5 respectively, as such, the petitioner is also entitled to bail. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. As per paragraph 4 of the bail petition, the petitioner has been in custody since 04.07.2025. As per the custody certificate dated 15.08.2025, the petitioner's total custody in this FIR is 01 month and 10 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

10. The investigation indicates that the petitioner is not the main accused, so the petitioner's bail shall not be treated as a precedent for granting bail to the other co-accused with a higher role.

11. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

12. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

13. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

14. This order is subject to the petitioner's complying with the following terms.

15. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.



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16. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

17. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

18. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

19. In *Amit Rana v. State of Haryana*, CRM-18469-2025 [Decided on 05.08.2025], in CRA-D-123-2020], a Division Bench of Punjab and Haryana High Court in paragraph 13, holds that “To ensure that every person in judicial custody who has been granted bail or whose sentence has been suspended gets back their liberty without any delay, it is appropriate that whenever the bail order or the orders of suspension of sentence are not immediately sent by the Registry, computer systems, or Public Prosecutor, then in such a situation, to facilitate the immediate restoration of the liberty granted by any Court, the downloaded copies of all such orders, subject to verification, must be accepted by the Court before whom the bail bonds are furnished.”

20. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

18.08.2025

Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.