



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

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**CRM-M-49755-2025 (O&M)
Date of Decision: 11.09.2025**

Kuldeep alias Paintla

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. D.S.Virk, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.221 dated 22.07.2024 registered under Sections 115, 190, 191(3), 304, 324(4), 333 and 351(2) of Bharatiya Nyaya Sanhita, 2023 (Sections 111(2)(b), 111(3), 115(2), 309(4) and 61(2) of the Act added and Sections 115, 190, 191(3) and 304 deleted later on), at Police Station Sadar Narwana, District Jind.

2. Brief facts of the prosecution are that the FIR was lodged on the statement of Karambir Nain-complainant, who had stated that he was running a Government liquor vend in Village Dhakal. Co-accused Gurmeet Ghangas and 18-20 other boys entered his shop with *dandas* and *lathies*. They attacked salesman Vikas and thereafter snatched money and ran away.

3. Learned counsel for the petitioner contends that the petitioner



has been falsely implicated in the present case and he has no concern with the said offence. He was nominated as an accused on the basis of disclosure statement made by co-accused Gurmeet. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of a co-accused during his custodial interrogation is not admissible. No recovery was effected from him. The petitioner is behind bars since 17.12.2024. The investigation in the case is complete and final report under Section 193 BNSS has since been submitted. He further contends that a compromise has been effected between the complainant and all the accused. Further, after an amicable settlement, co-accused Ankush Chahal @ Monu has already been granted the concession of regular bail by a Co-ordinate Bench of this Court, vide order dated 07.03.2025 passed in CRM-M-12155-2025. Later, co-accused Ajay alias Dhola and Gurmeet Singh have also been granted the concession of regular bail. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, has filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for bail by submitting that the offence committed by the petitioner is serious in nature. He further submitted that he is not aware about compromise, if any, between the parties. He has further submitted that the petitioner is also involved in



multiple other cases meaning thereby he is an habitual offender.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than nine months; investigation is complete; challan stands presented, and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody, especially when a compromise has been effected between the parties. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

7. As regards the submission of learned State counsel that petitioner is involved in more criminal cases, reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

8. In view of the discussion made above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing



bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

11.09.2025
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(RUPINDERJIT CHAHAL)
JUDGE

Whether Speaking / Reasoned	Yes / No
Whether Reportable	Yes / No