



CRM-M-22515-2025 and
CRM-M-26109-2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CRM-M-22515-2025

Bhajan Lal

. . . Petitioner(s)

Versus

State of Haryana
223-2

. . . Respondent(s)
CRM-M-26109-2025

Phool Singh

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

Decided on :15.09.2025

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sahil Chowdhary, Advocate for the petitioner
(in CRM-M-22515-2025).

Mr. Kartar Singh, Advocate for the petitioner
(in CRM-M-26109-2025).

Mr. P.K. Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petitions have been filed under Section 483 of BNSS, 2023 seeking regular bail in case FIR No. 260 dated 18.07.2024, under Sections 103(1) of BNS (Sections 191(3), 190 of BNS were added later on and Section 3(5) was deleted), registered at Police Station Sadar Ballabgarh, District Faridabad.

2. It is submitted that petitioners, Bhajan Lal (in CRM-M-22515-2025) and Phool Singh (in CRM-M-26109-2025)—have been



CRM-M-22515-2025 and
CRM-M-26109-2025

2

implicated primarily based on the disclosure statements of co-accused Pradeep and Bhajan Lal, without any direct or independent corroboration.

3. On 02.08.2025, following order was passed by this Court:

“1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Bhajan Lal	260	18.07.2024	103(1) of BNS, 2023 [S.191(3), 190 of BNS, 2023 added later on and S. 3(5) deleted]	Sadar Ballabgarh	Faridabad

2. Counsel for the petitioner argues that except for the disclosure statement—wherein it is recorded that both the petitioners, namely Bhajan Lal (in CRM-M-22515-2025) and Phool Singh (in CRM-M-26109-2025), inflicted injuries upon the deceased, Pratap Singh @ Piyush—there is no other substantive evidence directly implicating them. Reference is made to the bail order dated 21.01.2025 passed in CRM-M-2043-2025, titled "Khayali Dutt v. State of Haryana", wherein, while noticing the arguments advanced by learned State counsel, the presence of the said accused (Khayali Dutt), along with the present petitioners, was stated to have been established based on identification through CCTV footage/video recording from the spot.

Although charges are yet to be framed in the present case and the process of recording prosecution evidence is yet to commence, this Court deems it appropriate to seek clarification from the learned State counsel, as was earlier



**CRM-M-22515-2025 and
CRM-M-26109-2025**

3

submitted in the case of Khayali Dutt, specifically regarding the role of the present petitioners in the light of the CCTV footage.

3. List again on 15.09.2025.

4. State to file an affidavit to that effect after verifying the allegations from the CCTV footage.

Photocopy of this order be placed on the file of other connected case.

4. In compliance with the earlier order dated 02.08.2025 passed by this Court, the learned State counsel filed a status report along with the verification of CCTV footage. As per the report, during the investigation, a pen drive containing CCTV footage of the incident, provided by the complainant, was taken into possession on 06.11.2024. Upon examination, the footage showed petitioner Bhajan Lal standing at the scene along with co-accused Pradeep and Khayali Dutt (both already on bail). However, none of them were carrying any weapons or seen assaulting the deceased.

5. With respect to petitioner-Phool Singh, status report confirmed that he does not appear in the CCTV footage at all. His name only came up in the disclosure statements of co-accused, which are not substantive evidence.

6. It is further argued that petitioner-Bhajan Lal is in custody since 20.07.2021, while petitioner-Phool Singh is in custody since 23.03.2025. Out of a total of eight accused, five—namely Pradeep, Yogesh Kumar, Khayali Dutt, Lekhraj, and Parshuram—have already



**CRM-M-22515-2025 and
CRM-M-26109-2025**

4

been granted the benefit of regular bail. Petitioners seek parity on the ground that their role is either identical or even less serious than that of the co-accused already enlarged on bail.

7. It is further pointed out that although charges have been framed, none of the 31 prosecution witnesses have been examined so far. Given the number of witnesses and procedural delays, the trial is likely to take a considerable time. Hence, further incarceration of the petitioners would serve no fruitful purpose, thus, prays for grant of regular bail.

8. I have heard learned counsel for the parties and perused the paper-book along with the status report.

9. On the previous date of hearing, i.e., 02.08.2025, time was granted to the learned Senior Deputy Advocate General, Haryana, to point out any distinguishing features between the present petitioners and the co-accused who have already been granted the concession of regular bail. However, today, the learned State counsel could not point out any substantial or material distinction warranting a different view in the case of the present petitioners.

10. It is not in dispute that the CCTV footage does not depict the petitioners inflicting any injuries upon the deceased. Petitioner-Bhajan Lal is merely seen standing at the spot; he is neither armed nor seen participating in the alleged assault. Petitioner-Phool Singh does not appear in the CCTV footage at all. The only reference to their



**CRM-M-22515-2025 and
CRM-M-26109-2025**

5

involvement emanates from the disclosure statements of co-accused, which, it is well settled, do not constitute substantive evidence.

The Court also noticed that similarly situated co-accused, alleged to have been present at the scene, have already been granted the concession of regular bail. Even State has failed to place any distinguishing material on record that would warrant a deviation in the case of the present petitioners.

Furthermore, petitioners have remained in custody for a considerable period. Despite the framing of charges, none of the 31 cited prosecution witnesses have been examined till date, and the conclusion of trial is likely to take considerable time. In these circumstances, continued incarceration of the petitioners does not appear to be warranted. Accordingly, this Court finds merit in the present petitions.

Consequently, prayer made in the present petitions is allowed. Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.



**CRM-M-22515-2025 and
CRM-M-26109-2025**

6

12. Petitions stand disposed of.
13. A photocopy of this order be placed on the file of another connected case.

**(SANJAY VASHISTH)
JUDGE**

15.09.2025

Rashmi

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No