



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

**CRM-M No.4006 of 2025
Reserved on:25.03.2025
Pronounced on :02.04.2025**

SURJEET SINGH ALIAS SURJA	 Petitioner
Versus	
STATE OF HARYANA	 Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr.Arihant Jain and Mr. Varun Jain,, Advocates
for the petitioner.
Mr, Neeraj Poswal, A.A.G., Haryana,

Mr. Vishal Malik, Advocate for the complainant.

MANISHA BATRA, J. (oral)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short-‘BNSS’) for grant of regular bail to the petitioner in case arising out of FIR No.1268 dated 02.12.2023 registered under Sections 149, 201, 341, 307, 302, 427, 506 & 120-B of IPC and Sections 27 & 25(6) of Arms Act, at Police Station Sadar Hisar, District Hisar.

2. As per the allegations, on 01.12.2023, the complainant-Jatinder Singh was present at a well of his village and was having conversation with his companions-Naresh, Surender and Savinder. In the meanwhile, his brother-Vikas @ Keshi also reached there in his vehicle along with his co-villagers namely, Sonu @ Molar and Ajay @ Hanuman. As soon as, Vikas @ Keshi stopped his vehicle, two motorbikes and one car reached and stopped at some distance. Several youths were occupying these vehicles. Four bike riders alighted from their vehicles and started firing shots with pistols while aiming at Vikas @ Keshi. They also extending threats to kill whoever came in their way.

His brother Vikas @ Keshi and his friends Sonu @ Molar and Ajay @

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Hanuman also sustained fire arms injuries. Thereafter, while extending threats to kill the others, the assailants fled away on their respective vehicles while showing their pistols. The injured were immediately rushed to the hospital. Vikas @ Keshi succumbed to the injuries. The complainant disclosed that he had identified some of the assailants as Sunny Gujjar, Ankit, Sagar @ Bachhi, Rakesh @ Kala Kherampurua and Ashish @ Lalu and that he could identify the other assailants on seeing them.

3. After registration of FIR, investigation proceedings were initiated. Post mortem examination of the dead body of the victim was conducted. Inquest proceedings were also conducted. A Special Investigation Team was constituted. The complainant-Jatinder Singh and victim Ajay @ Hanuman recorded their supplementary statements on 16.04.2024, on the basis of which, accused-Kuldeep @ Bender, Himanshu, Avinash and Parveen @ Pehalwan were arrested. On interrogation, they suffered disclosure statements disclosing their involvement in the crime. The accused Rakesh @ Kala Kherampurua was arrested on 17.08.2024. He too, suffered disclosure statement admitting that he along with co-accused had hatched the conspiracy to kill the victim- Vikas @ Keshi. He had sent three illicit pistols to accused Sunny Gujjar through his friend Surjit Singh @ Surjai i.e. the present petitioner and that three pistols were given to the petitioner by co-accused Ajay @ Goli as per his instructions. He also disclosed that after the murder of the victim- Vikas @ Keshi was committed, the petitioner had brought back those three pistols.

4. On the basis of disclosure statement of the accused-Rakesh @ Kala Kherampurua, the petitioner was nominated as an accused. He was in custody in some other case and his presence was secured by issuance of

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production warrants on 27.08.2023. He was interrogated and suffered a disclosure statement and on the basis of same, demarcated the place from where he had given illicit weapons to the co-accused as well as the place where such weapons were given back and also disclosed about selling 2 pistols and 9 live cartridges. It was further disclosed by him that the accused-Rakesh @ Kala Kherampurua had contacted him in November 2023 through *Zangi App* instructing him to give 3 illegal pistols and cartridges to Avinash and Parveen @ Pehalwan, who would come to him and in January 2024, he had given one pistol to Ashish @ Lalu on asking of accused Rakesh @ Kala Kherampurua and then selling about two weapons to one Sunil. The investigation has since been completed.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement allegedly suffered by the co-accused. He was neither named in the FIR nor any role has been attributed to him qua commission of offence of murder of the victim. He is in custody since 27.08.2024. The trial will taken long time to conclude. He has a permanent abode. There is no chance of his fleeing. Offence of murder or making attempt to murder is not made out against him. Therefore, it is urged that he deserves to be released on bail.

6. Status report has been filed by the respondent-State. Learned State counsel has argued that there are serious and specific allegations against the present petitioner, who was an important link in the chain of conspiracy to murder the victim-Vikas @ Keshi and to make attempt to murder the remaining two companions of victim Vikas @ Keshi. He had supplied illicit weapons to the co-accused for facilitating the murder of the victim. He is a

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member of a notorious gang of Rakesh @ Kala Kherampuria. He is habitual offender as one more case under Section 25(6) of the Arms Act is pending against him. There are chances of his absconding or intimidating the witnesses or commit similar offences, if extending benefit of bail. Therefore, it is argued that the petitioner does not deserve to be allowed bail.

7. Rival contentions of the parties have been heard at length.

8. The petitioner is alleged to have hatched a conspiracy with the accused Rakesh @ Kala Kherampuria and in pursuance thereof, he is alleged to have obtained illicit weapons and supplied such weapons/pistols to the co-accused, who committed murder of the victim- Vikas @ Keshi and caused fire arms injuries to his companions with the same. He is also alleged to be a big supplier of weapons. The petitioner might not be directly involved in the murder of the victim, however, the allegations against him are quite serious in nature. Keeping in view the gravity of these allegations, the antecedents of the petitioner and the attendant facts and circumstances of the case, but without expressing any comment on the merits of the case, I am of the considered opinion that the petitioner does not deserve to be released on regular bail at this stage. Accordingly, the present petition is dismissed.

9. Since the main petition is disposed of, pending application, if any, also stands disposed of accordingly.

(MANISHA BATRA)
JUDGE

02.04.2025

Jyoti-IV

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