



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

(222)

CRM-M-36608-2026 (O&M)
Date of Decision: **20.07.2026**

RAN SINGH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Arun Sangwan, Advocate with
Mr. Baljeet Beniwal, Advocate for
the petitioner.

Mr. Karan Veer Singh, Sr. DAG, Haryana.

Mr. Gaurav Singla, Advocate
for the complainant.

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VIRINDER AGGARWAL, J. (Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973) seeking the concession of regular bail in FIR No. 168 dated 11.06.2025, registered under Sections 103(1), 3(5), 351(3), 61(2) and 249 of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 302, 34, 506, 120-B and 212 of the Indian Penal Code, 1860) along with Section 25 of the Arms Act, 1959, at Police Station Chandhat, District Palwal, Haryana.

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2. Briefly stated, the prosecution case is that on 11.06.2025, Vijay Pal, Sub-Inspector, while posted at Police Chowki Alawalpur, received telephonic information from the Police Control Room that two unidentified persons riding a motorcycle had opened fire upon Mohit alias Monu near the juice shop of Hem Raj situated at the Bus Stand, Alawalpur Badhram. Acting promptly upon the said information, the Investigating Officer, accompanied by other police officials, reached the place of occurrence and shifted the injured to the Government Hospital, Palwal, where the attending Medical Officer declared him 'brought dead'. The dead body was thereafter shifted to the mortuary and the requisite medico-legal formalities were initiated.

2.1. During the course of proceedings at the hospital, Ved Pal, uncle of the deceased, submitted a written complaint alleging that the deceased, who was employed as a driver in Faridabad, had left his residence at about 7:00 A.M. on the date of occurrence and had reached the Bus Stand, Alawalpur, for boarding a bus. The complainant further alleged that while he himself had come to the bus stand to purchase medicines, he witnessed Akku alias Avkash, accompanied by another person on a motorcycle, arriving at the spot and firing upon the deceased, whereafter both assailants fled from the scene. It was further alleged that there existed previous enmity between the deceased and the accused persons and that, a few days prior to the incident, Ran Singh, Charan Singh, Azad alias Aju, Akku alias Avkash, Karan Singh, Dharamwati and Jatin had extended threats to eliminate the deceased.

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2.2. On the basis of the aforesaid complaint, the present FIR was registered under Sections 103(1), 3(5) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, along with the relevant provisions of the Arms Act, whereupon investigation was set into motion. During the course of investigation, the Investigating Agency conducted the inquest proceedings, got the post-mortem examination conducted, inspected the place of occurrence, lifted blood-stained earth and other exhibits from the scene of crime, and recorded the statements of the material witnesses under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2.3. Upon collection of incriminating material, accused Ran Singh, Kamaljeet, Manish Kumar, Niranjana, Ajay, Avkash, Sunil, as well as the present petitioner Kaku, were apprehended and joined in the investigation. During investigation, mobile phones of different makes were recovered from certain accused persons, whereas the motorcycle allegedly used in the commission of the offence was recovered at the instance of accused Ajay. The investigation further revealed that the weapon allegedly used in the commission of the offence had already been recovered in connection with FIR No. 195 of 2025, registered at Police Station Chandhat. Upon verification of the allegations, the remaining named suspects, namely Karan Singh, Charan Singh, Dharamwati, Azad alias Ajju and Jatin, were found innocent and were not sent up for trial. However, Sections 61(2) and 249 of the Bharatiya Nyaya Sanhita, 2023, along with the relevant provisions of the Arms Act, were added during the course of investigation. The case property was forwarded to the Forensic Science Laboratory for

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scientific examination and, upon completion of investigation, the final report under Section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023 was presented before the competent Court against the charge-sheeted accused persons.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is contended that the petitioner has remained in judicial custody for more than one year and one month and that the trial is not likely to conclude in the near future. Learned counsel further submits that no specific overt act has been attributed to the petitioner in the commission of the alleged offence. His implication rests solely on the allegation that, a few days prior to the occurrence, he had allegedly extended threats to the deceased along with certain other persons. It is further argued that the petitioner is merely the father of the principal accused, namely Avkash @ Akku, and that no direct evidence exists connecting him with the actual commission of the offence. Learned counsel also submits that co-accused namely, Kaku @ Pardeep, Sunil and Manish, have already been granted the concession of regular bail by the competent Court and, therefore, on the principle of parity as well, the petitioner is entitled to the same relief. Accordingly, it is prayed that the present petition be allowed.

4. The custody certificate produced by the learned State counsel is taken on record, subject to all just exceptions.

4.1. Per contra, learned State counsel, duly assisted by learned counsel appearing for the complainant, has vehemently opposed the prayer

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for grant of regular bail. It is submitted that having regard to the seriousness of the allegations, the gravity of the offence and the petitioner's alleged involvement in the criminal conspiracy culminating in the murder of the deceased, he does not deserve the concession of regular bail. It is, therefore, prayed that the present petition be dismissed.

5. I have heard learned counsel for the respective parties at considerable length and have carefully perused the paper book as well as the material placed on record with their able assistance.

6. Having bestowed my thoughtful consideration to the rival submissions and upon a prima facie appraisal of the material available on record, this Court finds that the petitioner has remained in judicial custody for more than one year and one month. The trial is still at a nascent stage and is not likely to attain finality in the foreseeable future. Significantly, no direct role has been attributed to the petitioner in the actual commission of the offence. The allegation against him is confined to the assertion that, a few days prior to the occurrence, he, along with certain others, had allegedly threatened the deceased, and that he is a conspirator primarily on account of being the father of the principal accused, Avkash @ Akku.

6.1. It is also not in dispute that co-accused, namely, Kaku @ Pardeep, Sunil and Manish, have already been granted the concession of regular bail. The petitioner, therefore, is entitled to seek parity, there being no distinguishing circumstance brought to the notice of this Court warranting denial of the same benefit.

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6.2. Furthermore, the right to a speedy trial constitutes an integral facet of the guarantee enshrined under Article 21 of the Constitution of India. In the facts and circumstances of the present case, where the trial is likely to consume considerable time before its logical conclusion, continued incarceration of the petitioner would serve no fruitful purpose.

6.3. Accordingly, without expressing any opinion on the merits of the case lest it may prejudice either side during the course of trial, this Court is of the considered opinion that the petitioner has made out a case for grant of regular bail.

6.3. Consequently, the present petition is **allowed**. The petitioner is ordered to be released on regular bail, subject to his furnishing requisite bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned, as the case may be, and further subject to the following conditions:-

- i. The petitioner(s) shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts before the Court or to the Investigating Agency.
 - ii. The petitioner(s) shall not tamper with the prosecution evidence in any manner whatsoever, nor shall the petitioner(s), directly or indirectly, attempt to influence, intimidate, or contact any prosecution witness.
 - iii. The petitioner(s) shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court.
- In the event any of the petitioner(s) is in possession of a passport,

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the particulars thereof shall be furnished before the Investigating Officer as well as the learned Trial Court.

- iv. Before accepting the bail and surety bonds, the learned Illaqa Magistrate/Duty Magistrate/C.J.M. concerned shall obtain from the petitioner(s) the permanent residential address as well as the present correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours of the acceptance of the bail bonds and place a verification report on record. In the event any of the addresses is found to be false, fictitious, or incorrect, it shall be open to the prosecution to seek cancellation of the concession of bail in accordance with law.
- v. The petitioner(s) shall furnish before the learned Trial Court, either at the time of furnishing the bail bonds or within such period as may be specified by the Court, the Permanent Account Number (PAN), Aadhaar Number, particulars of all operative bank accounts, and a declaration disclosing details of immovable properties, if any. Any concealment of material particulars or furnishing of false information shall constitute a valid ground for seeking cancellation of the concession of bail in accordance with law.
- vi. The petitioner(s) shall intimate the Investigating Officer as well as the learned Trial Court, in writing, of any change in residential address or mobile number within seven days of such change.
- vii. The petitioner(s) shall not commit any offence of a similar nature during the pendency of the trial and shall remain present before the learned Trial Court on each and every date fixed, unless personal appearance is exempted in accordance with law. The petitioner(s)

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shall not absent from the proceedings without obtaining prior permission of the learned Trial Court. In the event of violation of any of the aforesaid conditions or unauthorized absence from the trial proceedings, it shall be open to the learned Trial Court to proceed in accordance with law, including cancellation of the concession of bail and issuance of appropriate coercive process, including warrants of arrest.

7. In view of the fact that the principal matter stands finally adjudicated, all pending miscellaneous applications, if any, arising out of or ancillary to the present proceedings, shall also stand disposed of accordingly. No separate or further orders are required to be passed in respect thereof.

20.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No