



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

217

CRM-M-4693-2025

Date of decision: 26.03.2025

Naveen @ Minu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rahul Sidher, Advocate (through VC)
for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.881 dated 19.10.2023 under Sections 392 of the IPC and Section 25 of the Arms Act, 1959 (Sections 109, 201, 216, 216-A, 120-B, 34 of the IPC and Section 25(6) of the Arms Act added lateron and Section 25(1-B)(a) of the Arms Act deleted lateron) registered at Police Station Barwala, District Hisar.

2. Learned counsel for the petitioner contends that the petitioner has been in custody since 13.03.2024 and that he has been falsely implicated in the present case. It is submitted that the petitioner was neither named in the FIR, nor was there any whisper raised qua his involvement at the time of the registration of the FIR in question. As per the case of the prosecution, on the fateful day, at about 07.25 PM, three masked persons arrived at the place of occurrence (petrol pump)



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on a motorcycle without a registration plate. At gunpoint, they allegedly forced the complainant and his colleague, both employed as salesmen at the petrol pump, to hand over cash and valuables an amount of Rs.33,740/- along with the mobile handset was allegedly looted by the assailants, who thereafter fled after issuing threats to the complainant and his colleague.

3. It has been argued by the learned counsel for the petitioner that the petitioner has been implicated in the present case solely on the basis of a disclosure statement made by co-accused Vijinder and others, who claimed that the petitioner was a conspirator in the commission of the offence. Learned counsel submits that apart from the allegation of conspiracy, no specific role has been assigned to the petitioner. Moreover, no recovery of the looted amount has been effected from him. It is also contended that the co-accused on whose statement the petitioner was nominated as an accused, have already been granted the concession of bail. Learned counsel submits that since the possibility of the trial concluding in the near future is remote, further incarceration of the petitioner would serve no useful purpose, moreso when 22 prosecution witnesses have been cited.

4. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed the custody period of the petitioner nor has it been disputed that the petitioner came to be nominated as an accused in the disclosure statement suffered by co-accused. However, learned State counsel has submitted, on instructions, that the petitioner



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was the master mind behind the entire incident and furthermore, the petitioner is involved in as many as 15 cases pertaining to heinous offences, including dacoity and robbery. Learned counsel for the State has argued that the present crime was also executed at the behest of the petitioner, while he was out on bail in some of the other criminal cases of identical nature pending against him. Learned State counsel has argued that the petitioner cannot seek parity with the co-accused who have been granted bail as they did not have any prior criminal antecedents. Learned State counsel has still further submitted that the trial has been proceeding at a considerably good pace; after the petitioner was arrested only about a year back, not only had the challan been submitted and charges framed, 06 prosecution witnesses out of the 22 had already been examined and, therefore, there was every likelihood that the trial would not take much time to conclude.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. Keeping in view the role attributed to the petitioner, who allegedly masterminded the crime in question and as per instructions received by the learned State counsel, is involved in a number of similar crimes, this Court does not deem it fit to extend the concession of bail to the petitioner. *Prima facie*, the allegations against the petitioner are not, therefore, limited to mere complicity but point to his role as the principal conspirator in the commission of the crime.

7. Accordingly, the instant petition is hereby dismissed.

8. However, it is made clear that anything observed



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hereinabove shall not be construed to be an expression of opinion on the merits of the case.

26.03.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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