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

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**CRM-M-9153-2025
Date of decision: 01.09.2025**

SHIV DUTT ALIAS SUNNY

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Mohan Singla, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH. J.(Oral)

1. Present petition has been filed by the petitioner, seeking grant of regular bail in case bearing FIR No.36, dated 10.02.2024, under Sections 302, 323, 324, 34 of IPC, registered at Police Station Urban Estate, District Hisar.

2. In the instant regular bail petition, on 21.07.2025, following order was passed:-

“Present petitions have been filed by the petitioners, seeking grant of regular bail in case bearing FIR No.36, dated 10.02.2024, under Section(s) 302, 323, 324, 34 of IPC, registered at Police Station Urban Estate, District Hisar.

2. *Learned counsel for the petitioners submits that FIR was lodged by an eye-witness, Rishu, aged 21 years, who stated therein that he used to talk with one Preeti, which was objected to, by accused Akash, who had threatened him to delete her mobile number.*

As per the FIR, on the date of the incident, i.e., 09.02.2024 at around 10:00 PM, when the complainant Rishu was present at Jindal Chowk along with one Shankar, accused Akash (petitioner in CRM-M-32804-2025), Sunny (petitioner in CRM-M-



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9153-2025), and Gobind (petitioner in CRM-M-32902-2025) were already standing there. Akash allegedly started a confrontation with the complainant over calling Preeti. During the altercation, Putan and Deepak Yadav also arrived at the spot. While Akash and his associates were physically assaulting the complainant – Rishu, Putan (now deceased) attempted to intervene to save him. At that moment, accused Akash and his associates allegedly inflicted knife injuries on the chest, abdomen, and other parts of the body of Putan. After causing the injuries, all the accused fled away from the scene on a scooty, carrying the weapon along with them.

3. Counsel for the petitioners further submits that during the course of investigation, a knife was recovered from the possession of accused Gobind, and bloodstained clothes were recovered from accused Sunny, which, as per the prosecution, may match the blood group of the deceased Putan. However, from the possession of accused Akash, only a mobile phone, belonging to him, was recovered.

It is also submitted that statements of all the eye-witnesses, namely Rishu (PW-3), Deepak (PW-4), and Shankar (PW-5), have already been recorded during trial, but none of them supported the prosecution's version. They categorically deposed that they did not know anything about the circumstances that led to the death of Putan. Moreover, during the court proceedings conducted via video conferencing, witnesses refused to identify the accused persons.

4. Thus, counsel argues that petitioners are in custody since 10.02.2024, and no incriminating material has emerged from the substantive evidence led by the prosecution, so far. Considering the weak chances of conviction, any further incarceration of the petitioners would not be justified in law, and they deserve to be released on bail.

5. On the other hand, learned State counsel has filed



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custody certificate of the petitioners in the Court today and the same are taken on record. However, he is not in a position to establish any concrete link between the petitioners and the alleged crime at this stage, and prays for some more time to prepare the case and present further evidence, if any.

6. *List again on 01.09.2025.*

7. *A photocopy of this order be placed on the file of other connected case.”*

2. The learned State counsel submits that the petitioner was not attributed any specific injury in the FIR. However, his presence at the spot was not in dispute.

Additionally, it is pointed out that from co-accused Govind, knife used in the crime has been recovered and from co-accused Akash one mobile phone belonging to him was recovered. Out of total 23 prosecution witnesses, only 05 have been examined. Petitioner is inside jail since 10.02.2024 and the material witnesses have already been examined.

3. This Court has heard the learned counsel for the parties concerned, and has gone through the instant petition.

4. Looking at the slow pace of the trial and the fact that material witnesses have turned hostile, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

5. Needless to observe that the petitioner shall not extend any threat and



shall not influence any prosecution witness in any manner directly or indirectly.

6. 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.

7. Petition stands disposed of.

01.09.2025
amandeep

(SANJAY VASHISTH)
JUDGE

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