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(i)

Sagar

...Petitioner

State of Haryana

(ii)

Rishipal

...Respondent

State of Haryana

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. Rakesh Kumar Lathwal, Advocate
for the petitioner in CRM-M-8294-2025.

Mr. B.S Rana, Sr. Advocate with
Ms. Anu Chaudhary, Advocate
Ms. Sheetal Sahu, Advocate
for the petitioner in CRM-M-32673-2025.

Mr. Dhruv Dayal, Addl. A.G., Haryana.

N.S.Shekhawat J. (Oral)

1. This order shall dispose of two bail petitions i.e. CRM-M-8294-2025 (O&M), titled as “*Sagar Vs. State of Haryana*” and CRM-M-32673-2025, titled as “*Rishipal Vs. State of Haryana*”, whereby the petitioners have prayed for grant of concession of regular bail to them in a case arising out of FIR No.159, dated 13.11.2023, under Sections 148,149,302,365,34 of IPC, Sections 148,149 and 365 of IPC added later on,

registered at Police Station Moohana, District Sonipat.

2. Learned senior counsel appearing on behalf of the petitioner Rishipal (petitioner in CRM-M-32673-2025) submits that the petitioner was initially not named in the FIR and the allegations were primarily levelled against Ajay @ Chhota. During the course of investigation, the supplementary statement of Naresh was recorded after two days and the name of the petitioner was also introduced as one of the accused without any justification. Learned senior counsel has referred to the (Annexures P-2 to P-9) to contend that PW-1 Naresh, PW-2 Dhan Singh, PW-3 Naveen, PW-4 Sandeep, PW-5 Santosh, PW-9 Bunt, PW-12 Anil and PW-15 Bijender Singh have not supported the case of the prosecution and has been declared turned hostile. The petitioner was arrested in the present case on 21.11.2023 and only 16 witnesses have been examined so far.

3. On the other hand, learned counsel appearing on behalf of Sagar (petitioner in CRM-M-8294-2025) has raised similar arguments and submits that the petitioner was arrested in the present case on 28.12.2023 and is in custody since then.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that both the petitioners had actively participated in the commission of crime and sufficient evidence had been collected against them. Even 20 injuries were caused to the deceased in the present case and they do not deserve the concession of bail.

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

6. In the present case, it is not in dispute that all the material witnesses i.e. PW-1 Naresh, PW-2 Dhan Singh, PW-3 Naveen, PW-4 Sandeep, PW-5 Santosh, PW-9 Bunty, PW-12 Anil and PW-15 Bijender Singh have not supported the case of the prosecution. Both the petitioners are stated to be in custody since 21.11.2023 and 28.12.2023, respectively and further custody of the petitioner(s) will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the petition(s) is allowed. The petitioner(s) are ordered to be released on bail pending trial on their furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

28.07.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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