



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

CRM-M-11189-2025

Date of decision : 05.03.2025

Abhishek @ Goli

....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. B.S. Rathee, Advocate for the petitioner.

Mr. Tanuj Sharma, A.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed for grant of regular bail in case FIR No.380 dated 28.07.2024, under Sections 111(3), 111(4), 305, 310(4), 310(5), 312, 317(4), 111(2)(b) of BNS and Section 25 of Arms Act, registered at Police Station Khedki Daula, District Gurugram.

2. Succinctly the facts of the case are that the Police received a secret information on 28.07.2024, to the effect that Manish, Saurabh, Sunny, Abhishek (petitioner), Nitin and Gaurav were planning to commit a robbery in Gurugram area and they were sitting in a deserted room at Tauru road in Bar Gujjar area. They were armed with illegal weapons as well and in case raid is conducted, they could be arrested alongwith the weapons. On receiving the information, police constituted a raid team and raid was conducted at the disclosed place and on reaching there, they heard the voice coming from the room where the accused were planning to commit robbery in some farm house. They all were nabbed by the Police and on asking, they disclosed their name, one of the accused was Abhishek @ Goli (petitioner). On conducting his search, a mobile phone was recovered. All the accused were arrested on spot and the recovery of

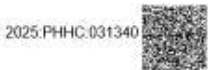


weapons was also effected from them. On completion of investigation, challan was presented and on framing of the charges, learned trial Court proceeded with the trial. The petitioner approached the Learned Additional Sessions Judge, Gurugram praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Additional Sessions Judge, Gurugram vide order dated 13.02.2025. Aggrieved by the same, the petitioner approached this Court praying for grant of bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submits that the petitioner is a student and the present case has been planted upon the petitioner. He submits that neither the petitioner was at the place of occurrence nor he was carrying any weapon or mobile as alleged. He submits that the petitioner has been falsely implicated in one more case, however, he is on bail in the said case. He submits that the investigation is complete, challan is presented and charges are also framed. He submits that in the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Learned State counsel, on instructions, has opposed the submissions made by the counsel for the petitioner and submits that specific secret information was received regarding the petitioner and the co-accused and they all were arrested on conducting the raid along with the weapons. He produced the custody certificate of the petitioner on the record. He submits that out of total 21 prosecution witnesses only 03 witnesses have been examined as on date.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the present case was registered on the basis of secret



information. The petitioner was allegedly arrested on spot along with the mobile. Custody certificate shows that he has completed an incarceration of 07 months and 04 days as on 04.03.2025. Though, he is involved in one more case, however, he is on bail in the said case. As submitted by learned State counsel, out of total 21 prosecution witnesses, 03 witnesses stands already examined.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

05.03.2025
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(RAJESH BHARDWAJ)
JUDGE

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