



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

121+240

CRM-M-12363-2025 (O&M)
Date of Decision:- 19.05.2025

JONY

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. D.S. Gandhi, Advocate for the petitioner.

Mr. Vipul Sherwal, AAG Haryana.

Mr. Pardeep, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

CRM-17742-2025

For the reasons stated in the application, same is allowed.

Annexure A-1 is taken on record subject to all just exceptions.

CRM-M-12363-2025

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 read with Section 528 of BNSS, 2023 for grant of Ad-interim bail to the petitioner for a period of 01 month in the following case :-

FIR No.	Dated	Sections	Police Station
12	17.01.2023	147, 148, 149, 34, 379, 411, 302, 307, 120-b, 216, 201 IPC; 25 of the Arms Act	Bass Hansi, District Hisar



2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that the mother of the petitioner has to undergo a surgery and there is no one in the family to take care of her old mother, as the brother of the petitioner is also in custody in the present FIR. He thus prayed for grant of concession of ad-interim bail to the petitioner for a period of 01 month.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition on the ground that the petitioner happens to be main accused, who had murdered one Pardeep @ Kala in the presence of complainant Sunil. He, on instructions from SI Prem Singh, Investigating Officer of the case, has also apprised the Court that the father and elder sister of the petitioner are alive and completely hale and hearty to look after the arrangements of surgery, if any, and to take care of the mother. Thus, prays for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution, the petitioner along with his accomplices had attacked upon the complainant party, who were going in a car. The assailants intercepted the car of the complainant and pulled put Pardeep @ Kala, who was sitting on the conductor seat and fired upon him with their pistols, due to which Pardeep @ Kala died on the spot. The assailants thereafter ran over their vehicle on the body of Pardeep @ Kala twice and thereafter fled away from the spot.

6. A perusal of the record reveals that the petitioner happens to be



one of the main accused, who had actively participated in the crime and murdered Pardeep @ Kala by firing gunshots upon him leading to his death. The occurrence was witnessed by the complainant himself and his statement is yet to be recorded before the trial Court and there is every possibility that the petitioner may attempt to threaten or influence the witnesses upon release on bail. So far as the medical condition of the mother of the petitioner is concerned, learned State counsel on instructions from SI Prem Singh has categorically stated that the father and elder sister of the petitioner are alive and both of them are hale and hearty to look after the mother of the petitioner in case of any surgery is to be performed upon her. This apart, learned counsel for the petitioner could not make out any compelling reasons justifying the necessity to release the petitioner on interim bail.

7. In view of the above, no case is made out in favour of the petitioner for grant of ad-interim bail at this stage. Accordingly, the present petition is dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

19.05.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No