



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

CRM-M-14736-2025

Date of Decision: 04.12.2025

Pardeep @ Sonu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vikas Bishnoi, Advocate with
Mr. Simranjeet, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana with
Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.537 dated 20.07.2020, under Sections 148, 149, 302, 341, IPC and Sections 25 of Arms Act (Section 120-B IPC added later on), registered at Police Station HTM, District Hisar.

3. Succinctly, facts of the case are that the complainant Om Parkash had two sons namely Pawan and Mukesh @ Pardhan (hereinafter referred to as 'deceased'). On 20.07.2020 at about 4.00 pm, his son Mukesh was returning home on his scooty bearing registration No.HR 20AF 5993 from Mahabir Colony. When he reached near Hanuman Mandir, Dhani Badwali, the complainant and Abhishek Bharti were returning from the fields and they were also near Hanuman Mandir. They saw that 6-7 young boys came on 2-3 motorcycles armed with pistols. They waylaid his son by putting their



motorcycles in front of the scooty of his son. Sunil @ Poli and Balram Lafar were among those boys. The complainant saw Sunil @ Poli firing gun shot from his pistol towards his son while he was sitting on his scooty. Thereafter, his son threw the scooty and ran to save his life. However, Balram, Gulshan and 3-4 other boys kept on firing gun shots towards his son and thus, he fell down. The complainant and Abhishek Bharti raised alarm and on hearing the same, assailants escaped along with their weapons. The complainant and Bharti shifted his son to Sapra Hospital, Hisar from where he was referred to Government Hospital, Hisar where his son Mukesh was declared dead. Thereafter on the statement of the complainant, FIR got registered. On the registration of the FIR, investigation commenced. During investigation, complicity of petitioner surfaced on the disclosure statement made by co-accused and thus, petitioner was apprehended on 22.07.2020. On completion of investigation, challan was presented and trial commenced. The petitioner approached the Court of Addl. Sessions Judge, Hisar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 23.08.2024. Hence, the petitioner has approached this Court by way of filing the present petition.

4. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that neither petitioner was named in the FIR nor any role has been attributed to him. He further submits that the petitioner was implicated in the present case on the basis of disclosure statement made by co-accused Sunil @



Poli and thus, his arrested is based on presumptions and assumptions in the present case. It is submitted that recovery of weapon has been planted upon the petitioner. He submits that the petitioner is behind bars for the last more than five years. The material witnesses i.e. complainant and Abhishek Bharti both have already been examined. Though the complainant has supported the case of prosecution, however, other eyewitness Bharti has not supported the prosecution case and has been declared hostile. The petitioner has no criminal antecedents as he is not involved in any other case. He submits that long incarceration of the petitioner itself is a ground to enlarge him on bail. He submits that the co-accused Sunil @ Poli, who has been specifically named in the FIR in question, has already been released on bail by this Court on 22.12.2022 (Annexure P-7). He submitted thus, in the facts and circumstances of the case, the petitioner deserves to be granted regular bail.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioners. He submits that the petitioner along with the co-accused had committed the murder of the son of the complainant. He submits that as per the postmortem report, there are total 24 fire arm injuries on the person of the deceased and 16 empty cartridges were recovered from the place of occurrence. It is submitted that complicity of the petitioner was established during investigation. He submits that out of total 34 witnesses, 20 prosecution witnesses including eyewitnesses have been examined. He has placed on record the custody certificate of the petitioner. It has also been submitted that the weapons, which were used in the commission of offence, were also recovered.



6. On hearing counsel for the parties and perusing the record, the petitioner was arrayed as an accused on the basis of disclosure statement suffered by co-accused Sunil @ Poli, who has already been released on bail by this Court vide order dated 22.12.2022 (Annexure P-7). Custody certificate of petitioner would show that he has suffered incarceration of 05 years, 04 months and 08 days as on 03.12.2025. It further reflects that he has no criminal antecedents. Out of total 34 witnesses, 20 prosecution witnesses including the eyewitnesses have been examined till date.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeed in making out a case for grant of regular bail to the petitioner.

8. 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.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

04.12.2025
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Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No