



CRM-M-14566-2025

-1-

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

CRM-M-14566-2025

Date of Decision: 12.11.2025

Anoop @ Rinku

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Himanshu Sharma, Advocate, for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.24 dated 23.01.2023 under Sections 323, 325, 34 IPC (Section 302 IPC added and Section 34 IPC deleted lateron), registered at Police Station Khol, District Rewari
2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Satish Kumar. It was alleged that 19.01.2023 at about 07:42 p.m., one Amit Kumar called him on his mobile and informed that Kuldeep @ Lilu, his younger brother is lying on the road in an unconscious state and his situation is serious. Thus, the complainant called his uncle Jaswant Singh and uncle's son Ajay. They all went to the place of occurrence and shifted his brother Kuldeep @ Lilu to Trauma Centre, Rewari. However, his condition being serious, he was shifted to Dev Jyoti Hospital, Rewari. It was further alleged that on 21.01.2023, the complainant enquired from his parents about his brother Kuldeep @ Lilu, who told him that on 19.01.2023, Hariram, Anup @ Rinku (petitioner) came to their house and took Kuldeep @ Lilu alongwith them for a party. However, his brother succumbed to the injuries on 25.01.2023.



CRM-M-14566-2025

-2-

Thus, request was made to take legal action against the accused. On registration of the FIR, investigation commenced. The petitioner was arrested on 26.01.2023. Postmortem of the deceased was carried out and on completion of investigation, challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Rewari 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 07.08.2024. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He submits that allegation made against the petitioner is only to the effect that the deceased had gone with the petitioner and Hariram on 19.01.2023. He submits that Kuldeep @ Lilu was found in an unconscious state at the roadside, thereafter, he was shifted by the complainant to the hospital. He submits that the case in hand, on the face of it, is an accident, however, in a due deliberated manner, the petitioner has been implicated in the present case. He submits that the motorcycle allegedly recovered, does not belong to the petitioner and even otherwise, there is no allegation that the petitioner was armed with any weapon or any injury had been caused by him to the deceased. He submits that the injuries suffered by the deceased were in a roadside accident and thus, no *prima facie* case under Section 302 IPC is made out against the petitioner. He submits that the petitioner though has been awarded life sentence in other FIR, however, his sentence has already



been suspended in the same. He further submits that the petitioner is behind the bars from the last more than 2½ years and the material witnesses have been examined. He, thus, submits that in the facts and circumstances of the present case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the deceased was last seen in the company of the petitioner and the same was verified from the CCTV footage recovered. He submits that it was established during the investigation that the petitioner hit the deceased with the motorcycle and thus, intention on the part of the petitioner is evident. The petitioner has already been convicted for the offence under Section 302 IPC and he is already undergoing life sentence. On instructions, he submits that out of total 27 prosecution witnesses, 08 witness has been examined. He placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is based on circumstantial evidence. *Prima facie* evidence relied upon is the last seen evidence and recovery of motorcycle and the petitioner is not the owner of the motorcycle. As submitted before this Court, out of 27 prosecution witnesses, 08 witnesses have been examined. The custody certificate of the petitioner would show that the petitioner has suffered incarceration of 02 years, 19 months & 15 days as on 11.11.2025. It further reveals that the petitioner is convicted in one more FIR, however, his sentence is already suspended in the same.

6. 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 succeeds in making out a case for grant of regular bail to the petitioner.

9. 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.

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

12.11.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE
Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No