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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.16254 of 2025
Date of Decision: 08.04.2025

Chetan and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sanjeev Majra, Advocate,
for the petitioners.

Mrs. Sheenu Sura, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioners seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
506	02.10.2023	Kharkhoda, District Sonipat	186, 353, 307 and 34 of IPC and 25 and 27 of Arms Act, 1959

2. As per the allegations, on 02.10.2023, on receipt of a secret information that the petitioners and the co-accused who were members of gang of a notorious gangster Goldy Brar involved in murder of one Deepak Maan, were passing through Kharkhoda side on a motorbike and

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could be apprehended, a raiding party was formed which immediately rushed towards the disclosed place and raised a barricade. Sometime thereafter, four youths riding on a bike were seen coming from Village Matindu side. They were tried to be stopped but instead of doing so, they fired a shot with some firearm towards Inspector Ajay Kumar and he had a narrow escape. They tried to flee along with their motorbike but the same had fallen down. One of them whose name was later on disclosed as Aujsav, fired a shot with bullet towards Inspector Ajay Kumar who too fired a shot thereby hitting his leg. The petitioners and the remaining youth were also apprehended and disclosed their names and particulars. Pistols and cartridges were recovered from them. They suffered disclosure statements admitting that they had committed murder of Deepak Mann after hatching a conspiracy. They were formally arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioners that they are in custody since long. A false recovery has been planted upon petitioner No.1. No recovery has been effected from petitioner No.2. Their involvement in other cases is not a ground to deny benefit of bail to them. The trial would take time. There is no question of their intimidating the witnesses since all the prosecution witnesses are police officials. Their further detention would not serve any useful purpose. Therefore, it is argued that they deserve to be released on bail.

4. It is argued by learned Deputy Advocate General, Haryana that

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there are serious allegations against the petitioners. There are chances of committing similar offences if extended benefit of bail. Therefore, it is argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioners are in custody since 05.10.2023. No injury had been sustained by any police official at the time of the incident. The involvement of the petitioners in other cases alone cannot be considered to be a ground for denying benefit of bail to them. The trial will take considerable time since all the witnesses are yet to be examined. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case lest they prejudice the trial, I am of the considered opinion that the petitioners deserve to be extended benefit of bail. Accordingly, the petition is allowed and the petitioners are ordered to be admitted to bail subject to their furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

08.04.2025
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(MANISHA BATRA)
JUDGE

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