



CRM-M-17151-2025

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

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**CRM-M-17151-2025
Decided on :23.07.2025**

Mukesh @ Lala

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rajender Singh Malik, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.336 dated 04.06.2024, under Sections 302 and Section 506 read with Section 34 of IPC, registered at Police Station Kundli, District Sonipat.

2. In the present case, Rahul is deceased, and Ravi, his real brother, is the complainant.

It has been alleged by the complainant in the FIR that his brother Rahul (deceased) had been running a gym for approximately six months and had developed a friendly relationship with one Shruti, which was objected to by the accused's family. On 04.06.2024, at around 5:00 p.m., when complainant (Ravi) went to visit his brother at the gym, he found it closed. He began searching for his brother, and while heading towards the house of Mukesh (present petitioner), he noticed Mukesh, his father



Shobhram, his son Rahul, his wife, and his daughter Shruti, all armed with dandas, hockey sticks, and jellies, running away from their house. Upon seeing the complainant, they allegedly asserted that his brother had been killed by them and that he would also be killed.

Counsel argues that based on these allegations, the petitioner was arrested along with the other accused in the case. Petitioner is in custody since 05.06.2024, and the material prosecution witness, i.e., complainant Ravi himself, has resiled from his statement and no longer supports the prosecution's case. Counsel has appended the copy of the statement deposited by PW1 (Ravi) before the Court. Additionally, it is argued that co-accused Parmod, who is the wife of the present petitioner, has already been granted bail by this Court. Referring to the impugned order in which the petitioner's bail application was dismissed, counsel points out that other accused, namely Ajit and Prahlad, have also turned hostile and resiled from the prosecution's case. Counsel further submits that the case is based on circumstantial evidence, and none of the circumstances support the prosecution's version. It is also submitted that the petitioner cannot be detained indefinitely. Accordingly, the petitioner prays for the grant of regular bail.

3. On the other hand, learned State Counsel, while opposing the prayer for bail, has produced the custody certificate in Court and submits that blood-stained clothes and the weapon (a broken hockey stick) used in the crime have been recovered at the instance of the petitioner and this fact is sufficient to directly connect the petitioner to the crime.



Accordingly, learned State counsel prays for the dismissal of the present petition.

4. Having considered the rival submissions and upon perusal of the statement of PW1 (Ravi), the complainant, who has not supported his own version and has completely contradicted the prosecution's case, it is evident that the case of the prosecution has been severely undermined. The fact that blood group of deceased matched with the recovered weapon and blood stained clothes, is significant and same will be adjudicated during the trial. However, petitioner's personal liberty cannot be curtailed indefinitely on the basis of this recovery alone, especially given that material witnesses have turned hostile. Furthermore, considering that petitioner is in custody since 05.06.2024, and key witnesses have resiled from their testimony, this Court finds merit in the prayer of the petitioner.

5. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.



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7. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

23.07.2025

Rashmi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No