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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16745-2025
Decided on : 12.08.2025

Manjeet Kataria

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rajesh Lamba, Advocate
for the petitioner(s).

Mr. P.K. Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Manjeet Kataria	408	07.12.2024	109(1), 3(5) of BNS, 2023 [S.103(1) of BNS, 2023, added later on], and S. 25 of the Arms Act	Sector 5, Gurugram	Gurugram

2. Allegations in the FIR are that on the night of 06/07.12.2024, at about 12:30 A.M., complainant – Vishal, along with Manjit @ Lucky, Sahil, Aakash @ Aku, Gagan, and Abhishek, were warming themselves near Choti Mata Temple, which was being looked after by Subhash, uncle of the complainant. At that time, a black-coloured car bearing registration No. HR26-EV-5151, driven by accused Monu with accused Mohit @ Illo seated beside him and accompanied by one more boy, arrived at the spot and



inquired about one Vikas Kangra. Accused Monu abused the complainant, whereupon accused Mohit @ Illo cocked a pistol and handed it over to Monu and issued instruction to shoot. A shot was then fired at Manjit @ Lucky, hitting him in the stomach, after which the accused fled from the spot. Manjit @ Lucky later succumbed to his injuries while under treatment at Medanta Hospital.

3. Learned counsel for the petitioner submits that, as per the investigation, the petitioner, namely Manjeet Kataria, is not even alleged to be present at the spot. The only allegation against him is that main accused – Monu, had purchased the weapon from the petitioner about 8–9 months prior to the incident for a sum of ₹50,000/-. No recovery has been effected from the petitioner's possession.

4. While advancing the above submissions, learned counsel refers the observations of the trial Court, recorded in the order dated 12.03.2025 (P-2), whereby the petitioner's application for bail was dismissed. Further contends that in no manner petitioner is connected with the crime, either directly or indirectly. Moreover, the petitioner has been in custody for the last about 07 months, and nothing even is required to be proved against him with regard to the allegation of sharing of any common intention with the main accused, as no such allegation is ever levelled against the petitioner.

Thus, learned counsel prays for grant of concession of regular bail to the petitioner.

5. On advance notice and in response to the arguments addressed by the petitioner's counsel, learned State counsel is unable to counter the contention addressed by the petitioner's counsel and informs that till date,



though charges have been framed on 05.06.2025, but process of recording of statements of the prosecution witnesses is yet to start.

6. I have heard learned counsel for the parties and gone through the record with their able assistance.

7. Taking note of the aforementioned submissions, the nature of allegations, and the almost admitted position that the petitioner is not even alleged to have been directly involved in the present occurrence, this Court finds substance in the contentions raised by learned counsel for the petitioner. Furthermore, as the trial is yet to commence and its conclusion is likely to take considerable time, this Court cannot even ignore the aspect that proceedings are running with required pace.

It is apparent that the petitioner's name has surfaced in this case, solely on the basis of the disclosure statement of the co-accused, as also recorded in the trial Court's order dated 12.03.2025 (P-2) while declining the petitioner's bail plea. Such circumstance would place a significant burden upon the prosecution to establish the petitioner's involvement in the alleged crime during the course of trial.

8. In view of the totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here-above, I deem it appropriate to grant the concession of bail to the petitioner.

9. 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/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.



10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. It is further made clear that if, in future, petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

13. **Petition stands disposed of.**

(SANJAY VASHISTH)
JUDGE

August 12, 2025

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*