



232

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

**CRM-M-17902-2025
Date of Decision: 01.12.2025**

AJAY @ SANKI

..... Petitioner

*Versus***STATE OF HARYANA**

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Ms. Anjali Sheoran, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, DAG, Haryana
assisted by ASI Satish.

YASHVIR SINGH RATHOR, J. (Oral)

1. This is the first application under Section 483 of BNSS, 2023 for grant of regular bail in case FIR No.202, dated 23.07.2023 (Annexure P-1), registered at Police Station Uchana, District Jind, Haryana under Sections 307, 34 and 120-B of IPC, 1860 and Section 25 of Arms Act, 1959.

2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

3. Status report by way of an affidavit dated 19.08.2025 of Sanjay Kumar, HPS, Deputy Superintendent of Police, Uchana, District Jind filed in the Registry on behalf of the respondent-State is taken on record. Registry is directed to tag the same at an appropriate place.

4. The present case was registered on the basis of a statement given to the police by Sahil alias Raju, son of Subhash, with the



allegations that he and his younger brother Shubham were arrested in FIR No. 44 of 2022, under Sections 302 and 120-B of the IPC and Sections 25, 54 and 59 of the Arms Act, 1959, registered at Police Station Uchana for committing the murder of one Sombir and he was released on bail 2–3 months ago. After being released on bail, he is residing with his uncle Manoj at Bahadurgarh. On 19.07.2023, his grandmother died and he had come to Uchana. In the evening, he was sitting in his Chaupal at about 6.45 pm, while Jatinder alias Midda was seen roaming in front of the Chaupal on his motorcycle, who was probably keeping surveillance upon him. After some time, two more boys, out of whom one was Parveen alias Joker, came armed with a pistol in their hands and tried to kill him. They fired one shot which hit the elbow of his right arm. He picked up a stone lying in the Chaupal and hit it towards them and thereafter, ran towards his house. However, they followed him and fired shots. When he reached near the house of one Ram Niwas, another bullet hit the left side of his thigh and one bullet passed through the backside of his abdomen. He picked up the bricks lying there and threw them towards Parveen alias Joker, as a result of which the pistol fell from his hands and the other boy ran away from the spot alongwith his pistol on his motorcycle. Thereafter, Parveen alias Joker also ran away from the spot on the motorcycle of Jitender alias Midda, and he sought action against him. On 19.09.2023, co-accused Parveen alias Joker was arrested and he suffered a disclosure statement and nominated the present petitioner as the other person who was accompanying him at the time of assault. Thereafter, the petitioner was arrested on 21.09.2023 and one pistol was recovered from his possession. After completion of the investigation, challan has been

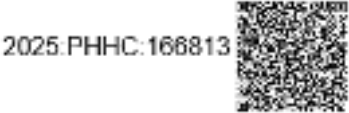


presented in the Court for trial.

5. Learned counsel for the petitioner contended that the petitioner has not been named in the FIR. He has been nominated as an accused by the main accused Parveen alias Joker, who was named in the FIR. Learned counsel further contended that as per the allegations in the FIR, the main accused namely Parveen alias Joker as well as the other person accompanying him (stated to be the petitioner), had fired shots at the victim. Now, the Hon'ble Supreme Court, in Special Leave to Appeal (Crl) No. 5100 of 2025, has ordered the release of the co-accused, namely Parveen alias Joker, on bail vide order dated 07.10.2025. Learned counsel next contended that the case of the petitioner is identical to that of the co-accused and he too is entitled to be released on bail on the ground of parity. The challan has been presented in the Court for trial after completion of the investigation. The trial is likely to take a sufficiently long time to conclude and, in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

6. On the other hand, learned State counsel has opposed the bail and has sought dismissal in view of the gravity of the offence. Learned State counsel further contended that now that 18 witnesses out of 19 witnesses cited by the prosecution have been examined and the trial has matured, the petitioner does not deserve the concession of bail.

7. Co-accused, namely Parveen alias Joker, whose case is identical to that of the petitioner, has already been ordered to be released on bail by the Hon'ble Supreme Court vide order dated 07.10.2025. The petitioner was not named in the FIR and has been nominated as an accused by the main accused, namely Parveen alias Joker, who has



already been released on bail. As such, the petitioner too is entitled to be released on bail on the ground of parity. Petitioner is in custody since 21.09.2023. The challan has been presented in the Court for trial after completion of the investigation. The trial is likely to take a sufficiently long time to conclude and, in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

8. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

01.12.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No