



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

**CRM-M No.18595 of 2025
Date of Decision: 13.11.2025**

Rahul @ Rahul Chaprana

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Rahul Bhargava, Advocate;
Mr. Tanveer Singh, Advocate and
Ms. Vanshika Singh, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Anil Mehta, Advocate and
Ms. Livleen Brar, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.232, dated 30.05.2023, under Sections 379-B, 365, 285 of IPC, 1860 and Section 25 of Arms Act, 1959 (Sections 302, 201, 120-B, 364 IPC added later on), registered at Police Station Faridabad Central, District Faridabad.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Banshi Lal son of Shobha Ram. It was alleged that the complainant was employed by Nagendra Chaudhary as a driver. On 30.05.2023, at about 10:00 A.M., the complainant took his owner, namely, Nagendra Chaudhary (deceased) from



his residence village Mohala in the Fortuner Car to Sector 15 Faridabad. At around 10:30 A.M., when they reached Sector 15, Faridabad, his owner, Nagendra Chaudhary asked the complainant to park the Fortuner car in the shade and thus, he did the same. It was alleged that when both were sitting in the car, a person came from behind in a black Scorpio car, who looked like one Pankaj Chauhan. As soon as he came, he opened the front window from the conductor side and started abusing his owner, Nagendra Chaudhary. Thereafter, he started firing in the air. It was alleged that being afraid, the complainant left the car and started running. He heard sound of 2-3 more fire arm shots. It was alleged that this person beaten and thereafter kidnapped Nagendra Chaudhary in his Fortuner car. Thus the request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation, dead body of Nagendra Chaudhary was recovered by the police on 05.06.2023 from Nainital, Uttarakhand. On 06.06.2023, the stolen car was seen crossing Toll Plaza on CCTV. The investigating agencies arrested the co-accused, namely, Pankaj Chauhan on 22.06.2023 and it is on his disclosure, the other co-accused, namely, Parveen was nominated in the present case and he was arrested on 28.12.2023. During the investigation, on 10.04.2024, complicity of the petitioner was surfaced on the basis of disclosure statement of co-accused, namely, Parveen wherein it was disclosed that the petitioner had carried out the recce for kidnapping Nagendra Chaudhary. Resultantly, the petitioner was arrested on the same day, i.e. on 10.04.2024. The Investigating Agencies, on completion of investigation, filed the challan and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional



Sessions Judge, Faridabad praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Faridabad declined the bail application filed by the petitioner vide order dated 19.03.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the false implication of the petitioner is writ large. He has submitted that case of the prosecution is purely based on circumstantial evidences. He has submitted that it is the complainant, who himself has deposed that the person, who came at the time when both the complainant and owner, Nagendra Chaudhary were sitting in the car, resembled Pankaj Chauhan. He has submitted that during his cross examination before the learned trial Court as PW-1, he reiterated the same. He has submitted that the complainant has also deposed in the Court that he has been beaten by the police official, namely, Nisha and was compelled to give a favourable statement. He has submitted that the petitioner has been arrayed as an accused in the present case after more than a year of occurrence, even otherwise, the allegations made against the petitioner, as per the prosecution, is that he carried out the recce, however, the main offence regarding the kidnapping and murder of the deceased are qua the co-accused. To buttress his arguments, learned counsel for the petitioner has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has further submitted that the material witnesses, i.e. the complainant and others are already examined and thus, in the facts and circumstances, the petitioner deserves to be granted bail.

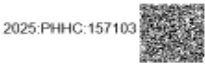


4. Learned counsel for the complainant has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that during the investigation, CCTV footage of the village and that of the place of occurrence was collected by the Investigating Agencies and the petitioner has been found to be on the place of occurrence but prior to the occurrence. He has submitted that the petitioner was not only part of the conspiracy but he carried out the recce of the deceased and it is because of his specific role of carrying out the recce, the murder of Nagendra Chaudhary had taken place. He has submitted that complicity of the petitioner has been further established from the call details record collected by the investigating agencies. He has thus submitted that no case for the grant of regular bail to the petitioner is made out and the present petition deserves to be dismissed.

5. *Per contra*, learned counsel for the State has also opposed the submissions made by learned counsel for the petitioner. He has submitted that during the investigation, complicity of the petitioner has been prima facie established. He has submitted that it is the petitioner, who has carried out the recce. He, on instructions from ASI Anil Kumar, has submitted that the trial is at the initial stage and out of total 61 prosecution witnesses, only 07 witnesses have been examined so far. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

6. The Court has heard learned counsel for the parties and perused the record with their able assistance.

7. After hearing learned counsel for the parties and perusing the record, it is deciphered that the case of prosecution is primarily based on



the circumstantial evidences. As per the conclusion of the investigation, the complicity of the petitioner is that he carried out the recce. The offences in the present case regarding the kidnapping and murder of deceased, Nagendra Chaudhary are against the co-accused, Pankaj Chauhan. Custody certificate produced would show that the petitioner has suffered incarceration of 01 year, 07 months and 03 days as on 12.11.2025. It further reflects that the petitioner is not involved in any other case. Out of 61 prosecution witnesses, only 07 witnesses have been examined as on date.

8. 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.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail.

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

13.11.2025

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

(RAJESH BHARDWAJ)
JUDGE