

S. No.224

2025:PHHC:171539



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

**CRM-M-25906 of 2025
Date of Decision:09.12.2025**

Adarsh

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. Sandeep Saini, Advocate for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

Yashvir Singh Rathor, J. (Oral)

1. This is first petition filed under Section 483 of BNSS for grant of concession of grant of regular bail to the petitioner in case FIR No.50 dated 29.01.2024 registered under Sections 394, 397, 201 and 120-B IPC and Sections 25/27 of Arms Act at Police Station City, Kaithal (Haryana).

2. I have heard learned counsel for the parties and have perused the material placed on record.

3. Present case was registered on the basis of statement given to the Police by complainant Rakesh with the allegations that he runs a CSC Centre at Kaithal and also does work of cash transactions through net banking. On 29.01.2024 at about 05:45 PM, a young boy wearing a helmet came to his shop and requested him for cash amount in lieu of transaction through Phone Pay on which he asked him to pay the commission. The boy took out two pistols from his



pockets and demanded Rs.50,000/-. When he resisted, the assailant fired at him with an intention to kill and rob him. The bullet hit on the left side of his face. Thereafter, the attacker fled away. After registration of FIR, the supplementary statement of complainant was recorded wherein complainant alleged that on 29.01.2022, a boy had come and told him his name as Adarsh (petitioner) and asked him to transfer Rs.1,000/- through Google Pay but complainant told him to get it transferred to the account number as he does not transfer money through Google Pay. Thereafter, he had a heated argument with the petitioner over transfer of Rs.1,000/- and Adarsh had threatened him. Thereafter, footage of the CCTV Cameras was shown to the complainant by the police in which the boy who fired at him was found to be Amit. On 29.05.2025, co-accused Amit was arrested and he suffered disclosure statement that he was lodged in Karnal Jail where he had met petitioner who told him that he had an argument with the complainant at the CSC Centre and they had decided to kill him and rob him of the money. Thereafter, accused- Amit got recovered the weapon of offence and motor-cycle used in commission of crime. On 01.06.2024, petitioner was arrested and he also suffered disclosure statement admitting his involvement in committing the crime. It was also found during investigation that two pistols were supplied to co-accused by the petitioner. After completion of investigation, final report has been presented.

4. Learned counsel for the petitioner contended that petitioner has been falsely implicated on the basis of disclosure statement suffered by co-accused Amit which is not admissible in evidence. Petitioner had not indulged in the



incident of firing or attempt to rob the complainant and it is the main accusednamely Amit who had fired at the victim while attempting to rob him. Learned counsel next contended that nothing has been recovered from the possession of petitioner. Challan has already been presented after completion of investigation. Petitioner is in custody since 31.05.2024. Out of 26 witnesses cited by the prosecution, not a single witness has been examined till date. The trial will take long time to conclude and in view of his long incarceration, further detention is not required and petitioner may be released on bail.

5. On the other hand, learned State Counsel has opposed the bail on the ground that the petitioner has committed the heinous crime and he does not deserve grant of bail.

6. It is the own prosecution case that petitioner had hatched the conspiracy to commit the offence and he was not present at the scene of crime when co-accused Amit fired at the victim and attempted to rob him. As to how much evidentiary value will be attached to the disclosure statement of co-accused and the own disclosure statement of petitioner shall be moot questions during the trial. Petitioner is in custody since 31.05.2024. Not a single witness has been examined out of 26 witnesses cited by the prosecution. The trial will take long time to conclude and in these circumstances, no useful purpose will be served by detaining the petitioner in custody anymore.



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

(Yashvir Singh Rathor)
Judge

December 09, 2025
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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No