



CRM-M-26800-2025

1

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

230

**CRM-M-26800-2025 (O&M)
Date of Decision: 24.09.2025**

Manoj @ Moja

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**Present:** Mr. Parveen Sharma, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J.(Oral)

1. Present fourth petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.560, dated 30.07.2021, under Sections 302, 34, 120-B of IPC, 1860 and Sections 25, 27 of Arms Act, 1959, registered at Police Station Kharkhoda, District Sonipat (Annexure P1).

2. Succinctly the facts of the case are that FIR in the present case was registered on the statement of complainant, namely, Chander Parkash. It was alleged that his son, namely, Gautam Kohli, went from home on 29.07.2021 at about 4.15 P.M. On 30.07.2021, the complainant came to know that his son, Gautam Kohli, was shot dead with bullets near village Khurampur of Kharkhoda. On receiving the information, they reached at the disclosed place and found the bullet riddled body of his son. It was suspected that his son, namely, Gautam Kohli, was killed by one Manoj Shokin in connivance with his friends. The request was made to take the legal action against him. On registration of the FIR, the investigation



commenced and the petitioner was arrested on 24.12.2021. The petitioner approached the Court of learned Additional Sessions Judge, Sonipat praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Sonipat declined the petition filed by the petitioner vide order dated 09.07.2024. Being aggrieved, the petitioner earlier approached this Court thrice by way of filing CRM-M-56000 of 2022, CRM-M No.9851 of 2024 and CRM-M No.35840 of 2024, however the same were allowed to be dismissed as withdrawn vide orders dated 24.01.2023, 01.03.2024 and 10.01.2025, respectively. Hence being aggrieved, the petitioner is before this Court by way of filing the present fourth petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submitted that it is the case of the prosecution; based on the basis of circumstantial evidence. He submits that though the petitioner was named in the FIR but the petitioner was only suspected by the complainant, however, the prosecution fails to produce any reliable evidence before the trial Court. He submits that the weapon allegedly recovered from the petitioner and the bullets fired were sent for ballistic report. As per the FSL Report, the fired bullets did not match with the weapon allegedly recovered from the petitioner. He submits that the case of the prosecution is virtually without any evidence against the petitioner. He has submitted that the petitioner is behind bars from last more than 04 years, however the prosecution has not been able to conclude the trial and thus the fundamental right of speedy trial of the petitioner has been defeated. Although the petitioner is involved in two other cases. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.



4. Per contra, learned counsel for the State however has opposed the submissions made by counsel for the petitioner. He, on instructions from SI Saurav, has submitted that the petitioner is the main accused during the disclosure statement of co-accused. As per the investigation, it is the petitioner who has fired upon the deceased. He, on instructions from SI Saurav, has submitted that out of 41 prosecution witnesses, 36 have been examined. Out of total 7 accused, 6 are on bail.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner was arrayed as an accused on the basis of circumstantial evidence. The petitioner was behind the bars since 24.12.2021. Out of total 41 prosecution witnesses, 36 have been examined. Out of 07 accused, 06 are already on bail. The majority of the witnesses already stand examined.

7. 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.

8. 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. 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. It is being clarified that in case petitioner does not furnish bail/surety bonds within a



CRM-M-26800-2025 **4**

period of one week from today, his custody will not be counted in the present case after one week.

24.09.2025
Rajeev (rvs)

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**