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

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**CRM-M-27854-2025
Date of Decision: 28.07.2025**

DEPENDER @ TINU**... PETITIONER**

VERSUS

STATE OF HARYANA**... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Rahul Vats, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed for grant of regular bail under Section 483 read with Section 528 of BNSS in case FIR No. 10 dated 13.01.2022 under Sections 302/34 of IPC (Section 120-B of IPC and Section 25 of the Arms Act added later on) registered at Police Station City Safidon District Jind, Haryana.
2. Learned counsel for the petitioner submits that the name of the present petitioner has not been mentioned in the FIR. The present petitioner has been implicated only on the basis of disclosure statement of the co-accused while in police custody and the same is inadmissible and cannot be used against the petitioner. No recovery has been effected from the petitioner. He further submits that there is only a disclosure statement against the petitioner. The petitioner is in custody since 11.09.2022.
3. Notice of motion.

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4. Mr. Aditya Pal Singla, AAG, Haryana accepts notice on behalf of the respondent-State. Learned State counsel has filed the custody certificate in the Court today, which is taken on record. As per custody certificate, the petitioner is in custody for the last 02 years 10 months and 02 days. He vehemently opposes the prayer for grant of regular bail to the petitioner. On asking, he submits that there is only disclosure statement of the co-accused against the petitioner and no other evidence has come on record. He further submits that out of 32 prosecution witnesses only three witnesses have been examined and trial is yet to commence.

5. I have heard the learned counsel for the parties and perused the record.

6. Keeping in view the facts and circumstances of the case and the fact that there is no other evidence collected by the prosecution against the petitioner except the disclosure statement made by the co-accused, no recovery has been effected from the petitioner. Moreover, rule is bail, not jail. Since the continuous detention of the petitioner would not serve the ends of justice, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.



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8. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.
9. Pending applications, if any, shall also stand disposed of.

28.07.2025
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(H.S.GREWAL)
JUDGE

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