



244

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

**CRM-M No.35525 of 2025
Date of decision : 14.07.2025**

Mukesh Chopra**.....Petitioner**

versus

State of Haryana**..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Parveen Sharma, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, 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 of IPC, 1860 and Sections 25, 27 of Arms Act, 1959, registered at Police Station Kharkhauda, District Sonapat (Annexure P-1).

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. During the investigation, supplementary statement of the complainant was recorded on 01.08.2021 wherein he named the petitioner as well and thus the petitioner was also arrayed as an accused in the present case. Resultantly, the petitioner was arrested on the same day, i.e. 01.08.2021. 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 03.01.2024. Being aggrieved, the petitioner earlier approached this Court thrice by way of filing CRM-M No.37534 of 2022, CRM-M No.4673 of 2024 and CRM-M No.6127 of 2025, however the same were allowed to be dismissed as withdrawn vide orders dated 06.12.2022, 01.08.2024 and 06.02.2025, respectively.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 has submitted that FIR in the present case has been registered on 30.07.2021 by the complainant. He has submitted that there was no whisper regarding the involvement of the petitioner in the offence, however in a due deliberated manner, he has been implicated on the basis of supplementary statement made by the complainant on 01.08.2021. He has submitted that even otherwise the allegations made against the petitioner that before the occurrence, he had carried out the recce of the deceased and on his information, the co-accused killed him. He has submitted that the petitioner



neither was present at the time of occurrence nor has committed any overt act in eliminating the deceased. He has submitted that the petitioner has no criminal antecedents as he has never been prosecuted in the offence of IPC, however he has been prosecuted in 02 complaints under Section 138 of Negotiable Instruments Act. 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. He has submitted that out of 07 accused, 04 are already on bail. 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 a part of conspiracy in carrying out the offence of murder of Gaurav Kohli. He has submitted that it is the petitioner, who has carried out the recce, and on his information, the co-accused eliminated Gautam Kohli. He has submitted that during the investigation, the call records were collected and there were about 35 calls made between the petitioner and the co-accused, Manoj Shokin. He has thus submitted that complicity of the petitioner is evident. He, on instructions from SI Saurav, has submitted that out of 43 prosecution witnesses, 34 have been examined. He has placed on record custody certificate of the petitioner today in the Court and the same is taken on record.

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 in the present case on the basis of supplementary statement of complainant. The



role attributed to the petitioner is that he has carried out the recce of the deceased. The custody certificate produced would show that the petitioner had completed incarceration of 03 years, 11 months and 09 days as on 13.07.2025. It further reveals that the petitioner has been prosecuted in 02 complaints under Section 138 of NI Act. Out of 07 accused, 04 are already on bail.

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 her 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.

14.07.2025
rittu

(RAJESH BHARDWAJ)
JUDGE

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