



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

CRM-M-38247-2025

Date of Decision: 24.07.2025

Sawan @ Laddu

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sunny Tyagi, Advocate, for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.132 dated 09.07.2024 under Sections 109(1), 121(1), 132, 221 BNS, 2023 and Section 25 of Arms Act, registered at Police Station Thanesar City, District Kurukshetra.

2. As per facts of the case, on 09.07.2024, the police party received a secret information to the effect that four boys duly armed were roaming in Thanesar City on motorcycles and they were about to commit crime. It was further informed that these four boys were sitting in an old house in Sector 10, Kurukshetra. The police party raided the disclosed place, where four boys were found talking to each other. They were cautioned to surrender, however, they opened attack on the police party. In self defence, the police also fired and one of the boys got injured and thereafter, all four boys were arrested on the spot. Names of the boys were found to be Ankit, Rajesh Kumar, Laksya and Sonu. During interrogation, disclosure statement of co-accused Vishant @ Kala was recorded on 28.08.2024, who made disclosure about the petitioner that he alongwith the petitioner went to Ujjain



to purchase illegal weapons and thus, the petitioner was arrayed as an accused. However, he was later on arrested on 15.01.2025 and since then, he is behind bars. He approached the Court of learned Additional Sessions Judge, Kurukshetra praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 23.05.2025. Hence, the petitioner approached this Court praying for grant of bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that neither the petitioner was named in the FIR nor committed any offence as alleged. He submits that during the investigation on the basis of the disclosure statement of the co-accused, the petitioner was roped in the present case. He submits that disclosure statement of the co-accused in itself is not an admissible evidence. It is further submitted that admittedly firing has been done by the co-accused, who were arrested on the spot and the petitioner was not even present and despite that he is being prosecuted under Section 307 IPC, which is even not made out against him. He submits that thereafter, on the same set of allegations, the petitioner was falsely implicated in one more FIR No.198 dated 25.06.2024. He, thus, submits that it is evident that the petitioner has been falsely implicated in the present case and hence, in the overall facts and circumstances, he deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. She submits that complicity of the



petitioner was duly established during the investigation. She submits that the petitioner with the co-accused had bought illegal weapons from Ujjain. On instructions, she submits that challan has been filed, however, charges are yet to be framed. She has produced the custody certificate of the petitioner on record.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner has been arrayed as an accused in the present case on the basis of disclosure statement of the co-accused. As per case of the prosecution, when the police party raided the disclosed place in the secret information, as submitted before this Court, the petitioner was not present at the place of occurrence. The investigation is complete. As per custody certificate of the petitioner, he has completed incarceration of 06 months and 09 days as on 23.07.2025. It further reflects that the petitioner is involved in one more case.

6. 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. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. 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.



8. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.
9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

	(RAJESH BHARDWAJ)	
	JUDGE	
24.07.2025	Whether Speaking/Reasoned :	Yes/No
sharmila	Whether Reportable :	Yes/No