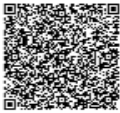


**CRM-M-42045-2025(O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****113+210****CRM-M-42045-2025(O&M)****Decided on:29.08.2025****Surender Singh Bagri****.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH****Present: Mr. Aditya Sanghi, Advocate for the petitioner.****Mr. Amish Sharma, AAG, Haryana.*************SANJAY VASHISTH, J.****CRM-34510-2025**

i) Present application has been filed under Section 528 of the BNSS, seeking permission to place on record the order dated 14.06.2023 passed by the learned Sessions Court, Alwar, whereby the petitioner was granted regular bail in FIR No. 479/2022, registered under Sections 143, 323, 341, and 307 IPC at Police Station Bansur, Alwar, Rajasthan, as Annexure P-10

ii) For the reasons stated in the application, same is allowed, and order dated 14.06.2023 is taken on record as Annexure P-10. Registry is directed to tag the said order at the appropriate place in the paper-book.



iii) Application stands disposed of.

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1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), seeking regular bail in FIR No.25 dated 27.02.2025, under Sections 111(3), 111(4), 111(2)b, 310(4), 310(5), 61(2) of BNS and 25/25(6)/25(7)/29 Arms Act, registered at Police Station Sadar Kanina, District Mahendergarh, Haryana.
2. As per the allegations in the FIR, secret information was received by the police that members of a gang led by Kuldeep @ KD, namely Anil, Rajneesh @ Chikku, Rahul, Shubham, Sheel Madhur, Surender (the petitioner herein), and Sanjay, who are habitually involved in quarrelling, looting, and other criminal activities and have multiple prior incarcerations, were observed standing on the Bohka to Modi-Bhojawas road in their vehicles, a Verna bearing registration No. HR-26-DT-7561 and a Scorpio bearing registration No. HR-35-S-4694. They were allegedly planning to loot individuals returning from or going to attend marriage ceremonies. Upon conducting a raid, the following weapons were recovered from the accused present at the scene:

Sr. No.	Accused	Recoveries
1.	Kuldeep @ KD	Wooden Stick
2.	Anil	<i>one pistol recovered from his pocket</i>
3.	Rajneesh @ Chikku	Three live cartridges recovered from his jeans
4.	Rahul	<i>one pistol recovered from his pocket</i>
5.	Shubham	Nothing recovered
6.	Sheel Madhur	No weapon recovered
7.	Surender(petitioner herein)	Wooden stick
8.	Sanjay	Nothing recovered



3. Referring to the role of the petitioner and bail orders already passed by the learned trial Court (Annexures P-4 to P-7), Mr. Aditya Sanghi, Advocate, submits that almost all other accused persons, from whom no weapons were recovered, have already been granted bail. However, petitioner, from whom only a wooden stick/danda was recovered, has been denied the concession of bail.

4. Learned counsel for the petitioner further points out that, apart from the instant case, petitioner is involved in another case in the State of Rajasthan, namely FIR No. 479/2022, registered under Sections 143, 323, 341, and 307 IPC at Police Station Bansur, District Alwar, Rajasthan. It is submitted that petitioner is currently on bail in the said case, granted by the learned Additional Sessions Judge, Bansur, District Alwar, vide order dated 14.06.2023 (Annexure P-10).

5. Learned counsel for the petitioner further submits that petitioner is in custody since 27.02.2025. Investigation in the instant case has already been completed, and although the final report has been submitted before the Court, the charges are yet to be framed, thus, counsel prays for grant of regular bail.

6. On the other hand, learned State Counsel submits that petitioner is involved in a serious offence and poses a significant threat to public peace and safety. It is further submitted that petitioner, along with other accused persons, has been implicated in activities causing grave disturbance to public tranquillity and disrupting the law and order

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situation in the State. Petitioner's role is not that of a passive participant but as an active conspirator in the criminal acts alleged. Granting bail at this stage would send a wrong message and may embolden the petitioner and his associates to repeat such unlawful activities.

Considering the serious nature of the offences and the need to maintain public order, learned State Counsel submits that the petitioner is not entitled to the concession of bail at this stage. Therefore, prays for dismissal of the present petition.

7. Having heard learned counsel for the parties and perused the record, this Court noticed that petitioner is in custody since 27.02.2025. The investigation in the present case has been completed, and final report has been submitted, though the charges are yet to be framed. Petitioner's role, as per FIR, involved possession of only a wooden stick, whereas other co-accused persons, some of whom were found without any weapon, have already been granted bail by the learned trial Court.

Accordingly, without expressing any opinion on the merits of the case, the prayer made in the present petition is **allowed**. Petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate concerned, if not required in any other case.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



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independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 29, 2025
rashmi

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