



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

CRM-M-42109-2025
Date of decision: 22.09.2025

MOHIT ALIAS DEEPAK

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Vijay Kumar Sheoran, Advocate
 for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

YASHVIR SINGH RATHOR, J. (Oral)

1. This is first petition under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.170, dated 18.03.2025, registered at Police Station Sector-10, District Gurugram under Sections 103(1), 3(5), 61 of BNS, 2023 and Section 25(1-B)(a) of Arms Act, 1959 (challan presented under Section 103(1), 111(3), 238(a), 249(a), 3(5), 61 of BNS, 2023 and Section 25(1-B)(a) of Arms Act, 1959).
2. Upon notice, learned State counsel has appeared and opposed the bail. Both the parties have been heard and material collected by the police during investigation has been perused.
3. In compliance of order dated 08.08.2025, status report by way of an affidavit of Lalit Dalal, HPS, Assistant Commissioner of Police, Crime-1, Gurugram filed on behalf of the State is taken on record.



4. Brief facts of the prosecution case are that on 18.03.2025, two persons entered the liquor shop/office of complainant Dinesh Yadav and inquired about him. Thereafter, they fired shots at Baljit Singh and Ravindra. When another person namely Ram tried to catch hold of them, one of the boys shot him in the leg and thereafter, assailants escaped. It is alleged that after the complainant obtained liquor shops licences in District Jhajjar, the opposite party led by Om Bhagwan, Deepak, Mohit and their partner Naresh Sethi entered into a conspiracy and have indulged in this firing incident to create fear among them and he sought action against them. During investigation, Tekchand @ Mohit was arrested on 19.03.2025 and on his disclosure statement, co-accused Mohit Kumar @ Bhuria was arrested on 20.03.2025 and they both admitted that they had committed the offence in question. They also implicated present petitioner as the person, who had helped them escape after the incident. On 01.04.2025, present petitioner Mohit @ Deepak was arrested and he also admitted his involvement in the commission of crime and he got recovered his mobile phone I-Phone 15. It was revealed during investigation that on 18.03.2025, both the shooters namely Tekchand @ Mohit and Ankit had met him at Bahadurgarh and told him that they have been sent by his brother Akshay and thereafter, he spoke to Akshay, who asked him to give some money to them and to destroy their mobile phone as they have indulged in a firing incident at Hayatpur, District Gurugram and thereafter, he gave them Rs.5,000/- each and kept their mobile phone, which was destroyed by him. Thereafter, some more accused were also arrested. After completion of investigation, challan has been presented for trial.



5. Learned counsel for the petitioner contended that petitioner has been falsely implicated on the basis of disclosure statements suffered by co-accused namely Tekchand @ Mohit and Mohit Kumar. He was not involved in hatching of any conspiracy or in committing the crime and at the most, he had given a sum of Rs.10,000/- to both the shooters and destroyed their mobile phone after they had committed the offence. Petitioner is in custody since 01.04.2025 and the trial is likely to take sufficiently long time to conclude and no useful purpose will thus be served by detaining the petitioner in custody any more and he may be released on bail.

6. On the other hand, learned State counsel has opposed the bail and argued that petitioner is a member of a gang indulging in organized crime but has admitted that petitioner was not involved in the incident of murder and had not hatched any conspiracy. He further submits that in view of the gravity of offence, he does not deserve the concession of regular bail.

7. The petitioner was not involved in the offence of murder and the incident of shooting carried out at the office of complainant by two unknown persons. It is an admitted fact that he had merely given them Rs.10,000/- after they met him at Bahadurgarh and had destroyed their mobile phone. As such, he neither hatched any conspiracy nor was a part of the gang, which indulged in firing. As to whether petitioner is a member of gang indulging in organized crime or not shall be the subject matter of trial. Even otherwise, there is no other evidence against him except disclosure statement of co-accused as well as his own disclosure statement. As to how much evidentiary value will be attached to the disclosure statements shall also be subject matter of trial. Petitioner is in custody since



01.04.2025. Challan has already been presented after completion of investigation. The trial will certainly take a long time to conclude and in these circumstances, further detention of the petitioner is not required and he is entitled to be released on bail.

8. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

9. Pending misc. application(s), if any, shall also stand disposed of.

22.09.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No