



CRM-M-46490-2024

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

CRM-M-46490-2024

Date of decision: 29.10.2025

ANNUS @MOHD. ANAS

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. P.S.Jammu, Advocate with
Mr. R.K. Poonia, Advocate for the petitioner.

Mr. Karanveer Singh, Sr. DAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.442 dated 18.11.2019 under Section 120-B, 201, 302 IPC registered at Police Station Rai, District Sonapat.

2. As per the allegations, Deepika wife of deceased Gagandeep and accused Simranjit Singh were having illicit relations and they paid Rs.50,000/- to accused Danish, Rajji @ Gajji and present petitioner Anas to commit murder of Gagandeep. It is further alleged that the present petitioner along with his co-accused have administered poison mixed with beer to the deceased and subsequently killed him by smothering his mouth.

3. Learned counsel for the petitioner submits that the petitioner has not been named in the present FIR and his name was surfaced on the basis of the disclosure statement of the co-accused, namely, Danish, the same is inadmissible and is not a piece of evidence. There is nothing on record to connect the petitioner with alleged offence. He further submits that the case is based on

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applications of the co-accused, namely, Simranjit Singh @ Bhogal and Danish. The case of the present petitioner is also on same footing as of the said co-accused. There is no likelihood of the petitioner tampering with the prosecution evidence if released on bail. He further submits that according to the Viscera report, no poison was detected and there is nothing in the post mortem report to suggest that it is a case of strangulation in any manner by pressing his mouth.

4. Notice of motion.

5. Mr. Karanveer Singh, Sr. DAG, Haryana accepts notice on behalf of the respondent-State and has opposed the bail application on the ground that the present petitioner along with his co-accused committed the murder of Gagandeep Singh. He further submits that the petitioner was absconding for a considerable period of time and ultimately he was declared Proclaimed offender, and if he is released on bail, there is possibility that he will hamper the trial.

6. This Court duly heard learned counsel for both the parties.

7. Keeping in view the facts of the present case and contentions of learned counsel for the parties, no incriminating material was recovered from the petitioner following his arrest; the viscera report revealed no traces of poison; there is no conclusive medical opinion suggesting death by strangulation; the co-accused, namely, Simranjit Singh @ Bhogal and Danish have already been granted concession of regular bail by a Co-ordinate Bench of this Court vide order dated 06.09.2021 passed in CRM-M-32380-2020 and CRM-M-33749-2021 respectively; the investigation of the case has been completed; challan has been presented; there are 36 prosecution witnesses; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period as the petitioner is in custody since 16.04.2024 i.e. for the

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just as measure of punishment and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

8. 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 bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned by imposing such condition that his presence can be secured during the trial.

9. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

29.10.2025
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(SUBHAS MEHLA)
JUDGE

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