



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

CRM-M-48355-2025
Date of decision: 27.11.2025

ASHWANI ALIAS BHOLU ALIAS MARUTI

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Sahil Choudhary, Advocate
 for the petitioner.

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

YASHVIR SINGH RATHOR, J. (Oral)

1. Prayer in this second petition under Section 483 of BNSS, 2023 read with Section 528 of BNSS, 2023 is for grant of regular bail to the petitioner in case having FIR No.284 dated 05.08.2021 registered under Sections 148, 149, 302, 120-B, 420, 411, 201 of IPC and Section 25/54/59 of Arms Act at Police Station Sadar Gohana, District Sonipat, Haryana.

2. Status report by way of an affidavit of Devender Singh, HPS, Assistant Commissioner of Police, Mohana, District Sonipat filed on behalf of the State in the Registry is taken on record.

3. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.



4. As per prosecution case, a quarrel had taken place between one Manpreet @ Golu and Rajender (since deceased) and Manpreet had fired a shot at said Rajender. Thereafter, on 05.08.2021 at about 12.00 noon, complainant namely Sombir along with his brother Rajender (since deceased) was returning from the fields. Rajender was travelling on his motorcycle while complainant was on foot and he was at a distance of about one acre from his brother. In the meantime, Manpreet along with his companions came there and fired shots at Rajender resulting in his death. On 06.08.2021, accused Manpreet @ Golu, Ankit, Narender Banta, Amardeep Bhuriya and Anup Kumar were arrested and they suffered disclosure statements admitting having committing the murder of Rajender. They further disclosed that they had hatched a conspiracy along with Ashwani @ Bholu (petitioner) and Parveen KD and weapons were supplied by them by another gang member namely Kala Rana and after committing the murder, weapons were given back to Ashwani @ Bholu who further gave it to Kala Rana. Petitioner was also arrested on 17.08.2021 along with co-accused Parveen KD who both were the main conspirators along with the shooters. After completion of investigation, challan has been presented against the accused for trial.

5. Learned counsel for the petitioner contended that petitioner has been falsely implicated. He has been named as a conspirator by main accused namely Manpreet but the disclosure statement is not admissible in evidence. No one had seen them hatching conspiracy. There are no call records between them to connect them with the alleged offence. The disclosure statement suffered by co-accused as well as own



disclosure statement of petitioner are not admissible in evidence. Learned counsel contended that petitioner was not amongst the shooters and he has not been named in the FIR. The only allegation against him is that he had hatched conspiracy along with the main accused. Learned counsel next contended that petitioner is in custody since 17.08.2021. Challan has already been presented after completion of investigation. Out of 39 witnesses cited by the prosecution, 30 witnesses have been examined and 04 have been given up. The trial will take some more time to conclude and in view of his prolonged incarceration, further detention of the petitioner is not required and he may be released on bail.

6. On the other hand, learned State counsel has opposed the bail and argued that in view of the gravity of offence, petitioner does not deserve the concession of bail.

7. Petitioner has not been named in the FIR and he was not amongst the shooters even as per prosecution case. The only allegation against the petitioner is that he had hatched conspiracy in committing the crime and he has been nominated as an accused by main accused namely Manpreet in his disclosure statement. After his arrest, he too suffered disclosure statement admitting having hatched conspiracy. As to how much evidentiary value will be attached to the disclosure statement of co-accused Manpreet as well as own disclosure statement of the petitioner shall be the moot question during the trial. Petitioner is in custody since 17.08.2021. Out of 39 witnesses cited by the prosecution, 30 witnesses have been examined and 04 have been given up. The trial will take some more time to conclude and further detention of the petitioner is thus not



required and he deserves 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.

27.11.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

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