

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-52817-2024

Reserved on: 29th July, 2025

Pronounced on: 5th August, 2025

Arya Kumar @ Aryan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rakesh Kumar Lathwal, Advocate for the petitioner.

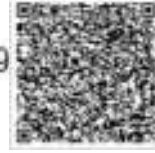
Ms. Himani Arora, Deputy Advocate General, Haryana.

Mr. Sahil Choudhary, Advocate for the complainant.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 42 dated 18.04.2024 registered under Sections 302, 307, 120-B and 34 of IPC and Sections 25 and 27 of Arms Act, 1959 (Section 201 of IPC and Section 29-A of Arms Act added later on) at Police Station Moohana, District Sonipat.

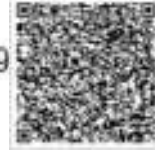
2. The aforementioned FIR was registered on the basis of a complaint lodged by the complainant Rohtash s/o Mange Ram alleging that his nephew Deepak Kumar was lodged in Sonipat jail on the allegations of committing murder of Anand son of Balbir. On 18.04.2024, he along with Ravi, brother of the above said Deepak had gone to the school of the son of Ravi for dropping him. While they were coming back and had reached near



a temple, suddenly three youths riding on a motorbike came from the village side, one of them was Tinku son of Ravinder. They opened fire at them, the complainant tried to hide himself in a street, whereas, his nephew Ravi was shot at by the assailants and succumbed to his injuries. The assailants fled while proclaiming that they would take revenge for the murder of Anand by killing entire family of the complainant. The complainant alleged that the petitioner along with other co-accused and accused Tinku had hatched a conspiracy and had committed murder of the victim. On his complaint, the aforementioned FIR was registered. Investigation proceedings were initiated. Post mortem examination of the dead body of the victim was also conducted. The petitioner was arrested on 22.05.2024. He suffered disclosure statement admitting his involvement in the crime and got recovered two live cartridges of .32 bore. The co-accused were also arrested. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The disclosure statements of co-accused are not admissible in evidence. A false recovery has been planted upon him. The allegations against him are of hatching a conspiracy but no evidence has been collected to connect him with the same. Trial will take considerable time to conclude. No specific overt act is attributed to him. The co-accused Mohit has been extended benefit of bail. On parity, he too deserves to be given concession of bail. Therefore, it is argued that the petition deserves to be allowed.

4. Status report has been filed. It is argued by learned State



counsel assisted by learned counsel for the complainant that there are serious allegations against the petitioner as he hatched a criminal conspiracy with the co-accused and supplied weapons to them to commit murder of deceased Ravi. Recovery of two .32 bore live cartridges effected from him. In the CCTV footage of the cameras installed in the vicinity, he was seen riding another motorcycle at the time of occurrence and was present at a distance from the co-accused Prince, Akhil and Nikhil, who had opened fire at the victim. The complainant Rohtash has fully supported the prosecution case. He has criminal antecedents. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. He had motive to commit the subject offences as he was nursing grudge against the victim due to murder of his friend Anand. He arranged weapons of offences. It is, therefore, argued that he does not deserve to be released on bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have hatched a conspiracy with the co-accused and in pursuance thereof, the accused Akhil, Nikhil and Prince are alleged to have committed murder of the victim by firing shots with pistols upon him. Though it is not the allegation against the petitioner that he was the actual assailant of the victim but the allegations against him are that he was the mastermind of the crime and after hatching conspiracy had even arranged weapons for the co-accused to kill the victim and the co-accused had killed him. The allegations against the petitioner are serious in nature. The complainant Rohtash, who was also an eye-witness to the occurrence has been examined and has supported the prosecution version. There is



nothing on record to show that there would be any undue delay in conclusion of the trial. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

5th August, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |