



CRM-M-53617-2025

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

CRM-M-53617-2025
Decided on : 26.09.2025

Kundan

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Virat Rana, Advocate for Mr. Vikram Singh, Advocate
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana.

Vinod S. Bhardwaj, J.(Oral)

1. This is the fourth petition filed by the petitioner seeking concession of regular bail in case FIR No.10 dated 23.01.2019 under Sections 147, 149, 395, 397 and 341 IPC and Section 25 of Arms Act, 1959 and Sections 141 and 146 of Railway Act, 1989 registered at Police Station GRP Rohtak District GRP Ambala Cantt.

2. The present FIR got registered in view of the complaint lodged by one Mittu Sharma alleging that on 23.01.2019, Train No.12983, Garib Rath departed from Rohtak Railway Station. At about 3:12 p.m., near Makdoli Railway Station, the chain of the train was pulled whereupon 8-10 persons forcibly entered Coach No.G-9. Out of them, 4-5 persons had muffled their faces while 3-4 persons were armed with country made pistols and knives. These persons allegedly looted the passengers travelling in the said compartment. It is further alleged that during the course of the loot, the



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complainant was held captive at gunpoint. On the basis of the said complaint, an FIR was registered. In the course of investigation, a site plan of the place of occurrence was prepared and the statements of witnesses were recorded. The accused persons were subsequently apprehended and their disclosure statements were recorded. Upon conclusion of the investigation, a police report under Section 173 Cr.PC, 1973 was presented against the applicant-accused and the other co-accused.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner is in custody for the last more than six years and the petitioner has been arrayed as an accused on the basis of disclosure statement made by co-accused, who has been granted the concession of regular bail by this Court and the evidentiary value of such evidence is of weak nature. There is no likelihood of the trial concluding in the near future and the case of the petitioner is at par with the co-accused, who has already been granted the concession of regular bail.

4. Learned State counsel is not in a position to dispute that the case of the petitioner would be at par with the co-accused, who has already been granted the concession of bail by this Court.

5. Taking into consideration the allegations levelled against the petitioner, the period of custody already undergone by him and also the fact that he has been nominated as an accused on the basis of disclosure statement of co-accused, who has already been granted the concession of bail by this Court, instant petition is allowed and the petitioner is ordered to be admitted to



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regular bail subject to him furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

6. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

7. The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case on the basis of available material.

26.09.2025
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(VINOD S. BHARDWAJ)
JUDGE

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