

CRM-M-54742-2025 &
CRM-M-62845-2025

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2025:PHHC:160526



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54742-2025

Date of Decision: 19.11.2025

AMAN ALIAS MUNSHI

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

2)

CRM-M-62845-2025

DEVENDER ALIAS SAGAR

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Rajesh Nain, Advocate
for the petitioner in CRM-M-54742-2025.

Mr. Sunil Saharan, Advocate with
Mr. Ram Kumar Saini, Advocate and
Ms. Ruby Gupta, Advocate
for the petitioner in CRM-M-62845-2025.

Ms. Jasmine Gill, AAG, Haryana.

YASHVIR SINGH RATHOR, J. (Oral)

1. By this common order, above noted bail applications shall be adjudicated as the same have arisen out of the same FIR.

2. This is the first application under Section 483 of BNSS, 2023 for grant of regular bail in case FIR No.901, dated 31.10.2023,



registered at Police Station Barwala, District Hisar, Haryana under Sections 109, 201, 146, 215A, 395, 397 and 427 of IPC, 1860 and Section 25 and 27 of Arms Act, 1959.

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

4. Present case was registered on the basis of statement given to the police by Rupender Malik with the allegations that he owns a petrol pump at village Pabra. On 31.10.2023 at about 5.15 pm, one Ritz car bearing registration No. HR-24L-5099 came at the petrol pump in which six young boys were sitting. Two boys alighted from the car and got filled petrol worth Rs.1,510/- and thereafter, remaining boys also came out of the car and snatched Rs.62,000/- from the salesmen namely Naresh and Joginder on gunpoint. They took them inside the office and damaged the cash box and took out Rs.1 lakh. Thereafter, they damaged the mobile phones of both the salesmen after snatching them and fled away from the spot. Matter was investigated. Complainant produced CCTV footage of the occurrence in a pen drive which was taken into possession from which it was revealed that one young boy namely Devender alias Sagar had entered the petrol pump cabin and another young boy, wearing a black shirt with a white border and a light yellow scarf tied around his head, also entered the cabin while holding a pistol who was identified as Virender alias Bhopa. Third young boy was identified as Lalu who was also armed with a pistol and fourth boy who also entered into the cabin was identified as Pawan. Inside the cabin, they were seen extorting money from the staff of the petrol pump on gunpoint. Thereafter, co-



accused Pawan was arrested on 18.11.2023 and he disclosed involvement of co-accused namely Devender alias Sagar, Virender alias Bhopa, Amar alias Munshi and Lalu. Thereafter, co-accused namely Virender alias Bhopa, Amardas, Devender alias Sagar, Aman alias Munshi, Naveen alias Meenu, Suresh and Sanjay were arrested on 28.11.2023, 28.11.2023, 10.12.2023, 10.12.2023, 19.11.2023, 09.04.2024 and 22.01.2025 respectively. Weapon used in committing the crime were recovered and after completion of investigation, final report has been presented.

5. Learned counsel for the petitioner(s) argued that petitioners have been falsely implicated in the present case. Petitioners namely Amar alias Munshi and Devender alias Sagar are in custody since 10.12.2023. Challan has already been presented, after completion of investigation. During trial, prosecution has examined the material witnesses namely PW-2 Rupender Malik, owner of the petrol pump, PW-3 Naresh, Salesman, and PW-4 Joginder, Salesman. However, all of them have not supported the prosecution case and they have not identified the accused to be the same persons who had committed the dacoity and robbed them of a sum of Rs.1,62,000/- on gunpoint. Learned counsel further contended that CCTV footage was also handed over to the police but Rupender Malik, who is the owner of the petrol pump and had handed over the CCTV footage, has admitted during cross-examination that he had copied the CCTV footage firstly in his mobile phone and thereafter, it was saved in a pen drive and handed over to the police. Learned counsel next contended that the CCTV footage in pen drive produced in the Court has not been extracted from the hard disk and first of all, the



contents of the CCTV footage were transferred into a mobile phone and thereafter, the same have been converted into a pen drive and the contents in the CCTV footage in the pen drive are a copy of the copy which cannot be looked into by the Trial Court. Learned counsel next contended that the trial will take a long time to conclude. No private witnesses remain to be examined and there is, thus, no possibility of petitioners winning over the official witnesses or intimidating them. In view of the prolonged custody, the petitioners may, thus, be released on bail.

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

7. The offence, in question, was committed by unknown persons who were not named in the FIR. They were allegedly identified on the basis of contents of the CCTV camera installed in the cabin of the petrol pump. The material witnesses namely PW-2 Rupender Malik, owner of the petrol pump, PW-3 Naresh, Salesman, and PW-4 Joginder, Salesman, have not identified the accused to be amongst the persons who had committed the dacoity. As to how much evidentiary value will be attached to the CCTV footage shall be seen during the trial as the contents of the pen drive have not been extracted directly from the hard disk. Petitioners namely Amar alias Munshi and Devender alias Sagar are in custody since 10.12.2023. All the material witnesses have already been examined. The trial is likely to take sufficiently long time to conclude and in these circumstances, further detention of the petitioners is not required and they deserve 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 petitioners are ordered to be released on bail on their furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

19.11.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No