



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209 CRM-M-54539-2025 (O&M)
Decided on: 31.10.2025

ANILPetitioner

Versus

STATE OF HARYANA ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Aditya Sanghi, Advocate, and
Mr. Pradeep Bhardwaj, Advocate,
for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J.

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), seeking regular bail in FIR No.25 dated 27.02.2025, under Sections 111(3), 111(4), 111(2)b, 310(4), 310(5), 61(2) of BNS and 25/25(6)/25(7)/29 Arms Act, registered at Police Station Sadar Kanina, District Mahendergarh, Haryana.
2. As per the allegations in the FIR, secret information was received by the police that members of a gang led by Kuldeep @ KD, namely Anil (petitioner herein), Rajneesh @ Chikku, Rahul, Shubham, Sheel Madhur, Surender, and Sanjay, who are habitually involved in quarrelling, looting, and other criminal activities and have multiple prior incarcerations, were observed standing on the Bohka to Modi-Bhojawas road in their vehicles, a Verna bearing registration No. HR-26-DT-7561 and a Scorpio bearing registration No. HR-35-S-4694. They were allegedly planning to loot individuals returning from or going to attend



marriage ceremonies. Upon conducting a raid, the following weapons were recovered from the accused present at the scene:

Sr. No.	Accused	Recoveries
1.	Kuldeep @ KD	Wooden Stick
2.	Anil (petitioner herein)	<i>one pistol recovered from his pocket</i>
3.	Rajneesh @ Chikku	Three live cartridges recovered from his jeans
4.	Rahul	<i>one pistol recovered from his pocket</i>
5.	Shubham	Nothing recovered
6.	Sheel Madhur	No weapon recovered
7.	Surender	Wooden stick
8.	Sanjay	Nothing recovered

3. Counsel for the petitioner submits that co-accused namely Surender Singh Bagri, from whom a wooden stick was recovered, has already been granted the concession of regular bail by this Court, vide order dated 29.08.2025 passed in CRM-M-42045-2025.

4. Counsel for the petitioner submits that co-accused persons, namely Shubham @ Saka and Sanjay @ Laddu, have already been released on regular bail by learned Additional Sessions Judge, Narnaul (Annexures P-6 and P-7). Another co-accused, Shivam Sharma, has also been granted the concession of regular bail by the same court (Annexure P-8), despite there being as many as sixteen criminal cases registered against him. However, it is pertinent to note that no weapon was recovered from his possession in the present case. Similarly, another co-accused, Sheel Madhur, from whom no weapon was recovered, was also granted regular bail by the Sessions Court and was subsequently exonerated by the police after being found innocent.



5. Learned counsel further contends that, as per the prosecution, a pistol is alleged to have been recovered from the pocket of the petitioner. Counsel also submits that whether the case against the petitioner would properly fall under the provisions of the Arms Act or under Section 111 of the Bharatiya Nyaya Sanhita (BNS) is a question that can only be determined at the final stage of trial, particularly since most of the co-accused were not found to be armed with any deadly weapon.

6. Learned counsel for the petitioner fairly submits that, apart from the present case, petitioner is involved in 24 other criminal cases. However, it is pointed out that petitioner has already been granted bail by the Court of learned Additional Sessions Judge, in three of those cases (Annexure P-11).

7. Learned counsel for the petitioner further submits that petitioner is in custody since 25.02.2025. Investigation in the instant case has already been completed, and although the final report has been submitted before the Court, charges are yet to be framed, thus, counsel prays for grant of regular bail.

8. On the other hand, learned State Counsel submits that petitioner is involved in a serious offence and poses a significant threat to public peace and safety. It is further submitted that petitioner, along with other accused persons, has been implicated in activities causing grave disturbance to public tranquillity and disrupting the law and order situation in the State. Petitioner's role is not that of a passive participant but as an active conspirator in the criminal acts alleged. Granting bail at



this stage would send a wrong message and may embolden the petitioner and his associates to repeat such unlawful activities.

Considering the serious nature of the offences and the need to maintain public order, learned State Counsel submits that petitioner is not entitled to the concession of bail, at this stage. Therefore, prays for dismissal of the present petition.

9. Having heard learned counsel for the parties and upon perusal of the record, this Court observes that petitioner is in custody since 25.02.2025. Investigation in the present case stands completed, and final report has been submitted, though charges are yet to be framed. It is further noticed that one of the co-accused, namely Shivam Sharma, who was involved in 16 other criminal cases, has already been granted the concession of regular bail. Therefore, benefit of regular bail to the present petitioner, from whom a pistol is alleged to have been recovered, cannot be denied merely on the ground that he is also involved in several other criminal cases. Moreover, other co-accused, namely Surender Singh Bagri, Shubham @ Saka, Sanjay @ Laddu, and Sheel Madhur, have also been granted the concession of regular bail.

Accordingly, without expressing any opinion on the merits of the case, prayer made in the present petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate concerned, if not required in any other case.



10. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

October 31, 2025
Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**