



CRM-M-56319 of 2025

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

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CRM-M-56319 of 2025
Date of Decision: 30.10.2025

Ramesh @ Yogi Shivnath

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. D.S. Matya, Advocate and
Ms. Palak Goel, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.401 dated 11.07.2024 registered under Section 103(1) read with Sections 3(5), 61(2) and 253 of the Bharatiya Nyaya Sanhita, 2023 and Section 25 of the Arms Act, 1959, at Police Station Hansi, District Hisar.

2. Brief facts of the present case as per the prosecution are that the petitioner in connivance with other accused, murdered one Ravinder Saini, due to some old enmity.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with

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the said offence. He argued that neither the petitioner was present at the spot nor was named in the FIR. It has also been contended that the petitioner was nominated as an accused on the basis of disclosure statement made by co-accused Vikas @ Vicky. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of co-accused during his custodial interrogation is not admissible. He further argued that the contents of the FIR are highly unnatural and improbable as no role whatsoever has been attributed to the present petitioner. He further argued that nothing has been recovered from the petitioner. Moreover, the petitioner has clean antecedents as he is not involved in any other case. Further, co-accused Parveen, Taruna Baklia @ Tanu, Sandeep @ Sunny and Mamta have already been granted the concession of regular bail by the learned trial Court, Hisar, vide orders dated 07.08.2024, 10.03.2025, 20.03.2025 and 27.03.2025, respectively. Co-accused Mandeep @ Bajrangi and Monu alias Futta, have already been granted the concession of regular bail and anticipatory bail by a Co-ordinate Bench of this Court, vide orders dated 25.02.2025 and 15.05.2025, respectively. The petitioner is in custody since 15.07.2024. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submits that there are total 51 prosecution witnesses and out of them, only 09 have been examined so far and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.



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4. On the other hand, learned State counsel has filed the status report in the matter and while referring to the same, has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature as he has actively participated in the conspiracy which was hatched for committing the murder of deceased Ravinder Singh. He argued that the petitioner was part of the unlawful assembly and he is the person who provided the weapons i.e. four pistols of .32 bore and 20 cartridges to other co-accused, who thereafter committed the murder of deceased Ravinder Saini. However, he has not controverted the fact that the petitioner is first time offender as he is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 01 year and 03 months; investigation is complete; challan stands presented; charges framed, and the trial is proceeding at snail's pace and may take a long time to conclude, no useful purpose would be served by detaining him in further custody especially in the facts and circumstances of the present case. The further detention of the petitioner without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of

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India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

30.10.2025
D.Bansal

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