

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

2025:PHHC:075023



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CRM-M-60797-2024
Date of decision:29.05.2025

Ansh Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Abhishek Tiwari, Advocate and
Mr. Kuldeep Kumar, Advocate for the petitioner.

Mr. Apoorv Garg, Sr. DAG, Haryana.

...

Manisha Batra, J. (Oral).

1. 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.224 dated 20.10.2023, registered under Sections 302, 201, 34 IPC and Section 25(1-B) (a) of the Arms Act, at Police Station Gurgaon City, District Gurugram.

2. As per the allegations, on the intervening night of 19/20.10.2023, on receipt of an information regarding the death of one Ashish due to sustaining fire arm injuries and his dead body lying at Aryan Hospital, Gurugram, a police party reached there. The complainant-Suraj, uncle of the deceased submitted a written complaint alleging therein that on the same night, the victim Ashish along with his friend Karan had gone to watch Ramleela at Bhim Nagar area. He had a scuffle with Nishi, Rohan and

some other persons unknown to the friend of victim and he informed that they had extended beatings to the victim. On his statement, the FIR was registered. Investigation proceedings were initiated. Post mortem examination of dead body and inquest proceedings were conducted. Accused Rohan, Nishi and petitioner surrendered on 21.10.2023. They were formally arrested. There were interrogated and suffered disclosure statements, as per which accused Rohan had caught hold of the victim and the petitioner and accused Nishi extended beatings to him and then accused Nishi had fired a shot with a country made pistol on the head of the complainant and then they had fled away. Accused Nishi got recovered a country made pistol used in the crime. The test identification parade of the petitioner was got conducted and he was identified as one of the assailants. The investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He did not have any direct involvement in the incident. There is no eye witness of the occurrence. The complainant is not an eye witness to the occurrence. The case is based on hearsay evidence. He is in custody since long. His further incarceration would not serve any useful purpose. Complainant and his father already stand examined. The petitioner does not have any criminal antecedents. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed. Learned Assistant Advocate General, Haryana has argued that there are serious allegations against the petitioner. He was duly identified in a test identification parade by the eye witnesses. He himself has surrendered. He was an active participant in the

crime. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. With these broad submissions, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties carefully.

6. The petitioner in furtherance of common intention with the co-accused is alleged to have assaulted the victim on the day of occurrence. Co-accused Nishi, who is a friend of the complainant was admittedly nursing a grudge against the victim. The victim might not have any direct motive but his participation in the crime stands prima facie established on the basis of the allegations. Keeping in view the gravity of allegations as levelled against him, the severity of punishment which the conviction may entail and the attendant facts and circumstances, but without meaning to make any comments on the merits of the case, lest they prejudice the trial in any manner, this Court is of the considered opinion that the petition does not deserve allowed. Accordingly, the present petition is dismissed.

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

29.05.2025

harjeet

**(MANISHA BATRA)
JUDGE**

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