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

CRM-M-61676-2024 (O&M)

Date of Decision:29.07.2025

JITENDER ALIAS DHILLU

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Rakesh Kumar Lathwal, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S.Shekhawat J. (Oral)

CRM-28362-2025

For the reasons mentioned in the application, the same is allowed,
subject to just all exceptions.

Annexure P-3 is taken on record.

Main Case

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.107 dated 15.04.2023, registered under Sections 302, 452, 34 (Section 120-B, 212, 201 added later on) of IPC 1860 and Section 25 of Arms Act 1959, Police Station HSIDC Barhi, District Sonipat.



2. The FIR in the present case was registered on the basis of the statement made by Ravit and the same has been reproduced below:-

"To, SHO Sir, Police Station Barhi. Sir, requested that I am Ravit son of Jagat Singh, village Rajpur and I am doing the job of guard in Private company. We are two brothers and two sisters. We all three are married whereas my younger brother Rohit is unmarried and he is doing the job in P.W.D. The marriage of my sister Monika solemnized with Pardeep son of Rajender, village Rudhki, District Rohtak since 12 years ago. My Brother-In-Law Pardeep committed suicide by shooting himself. Pardeep family members believed that we are responsible for the suicide of Pardeep and my sister brother-in-law namely Pardeep used to taunt to my sister about that and due to that reason they wanted to take the revenge and used to said that we would shot dead your brother at the same place where my brother got shot dead. That on dated 14.04.2023, at night time at about 09:30 pm, my brother Rohit son of Jagat Singh, village Rajpur got slept in the room located at the roof of our house. When 08:00 am, my brother Rohit did not came down then my sister Monika came in room and found that my brother Rohit son of Jagat Ram, village Rajpur got shot dead by some unknown persons. That my sister made noise after saw that and I along with my other family members came in the room located in the roof and found that my brother Rohit is lying in dead condition on the bed. We saw that my brother Rohit received the bullet shot injury on the left side of chest and head. We believed that my brother Rohit got shot dead by giving bullet shot injury by Parveen son of Rajender, village Rudhki, District Rohtak along with his companion. It is requested that kindly take legal action against Parveen and his companion. Sd/- Ravit, 9991179893, 15-04-23".

3. Learned counsel for the petitioner contends that from a bare perusal of the FIR, it is evident that the petitioner was not named in the present

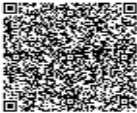


case and it was a case of blind murder. Even from the contents of the FIR, it is evident that the allegations were primarily levelled against Parveen, who was related to the complainant side and had the reason to commit the crime. During the course of investigation, Parveen, co-accused was arrested in the present case on 19.07.2023 and after his arrest, he allegedly made a disclosure statement and disclosed the name of the petitioner as one of the assailants. Even as per the said disclosure statement, the petitioner was simply accompanied Parveen, main accused and the fire arm injuries were caused by Parveen only. Learned counsel further contends that the weapon of offence was recovered from Parveen and no recovery was effected from him. Even he has been involved in the present case as unfortunately he happens to be acquaintance of Parveen, otherwise he had no reason to participate in the commission of crime. He further contends that in the present case testimony of the complainant has been recorded and 08 material witnesses have been recorded in the present case. Thus, the petitioner may not be in a position to tamper with the prosecution evidence at this stage.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner alongwith Parveen, co-accused had committed a serious crime and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, as per challan, the petitioner was simply present at the place of occurrence and had not fired any shot. Further, the petitioner is stated to be in custody for the last more than 01 year and 06 months



and material witnesses have already been examined. Thus, the further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

29.07.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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