



CRM-M-65647-2025(O&M)

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

110+208

CRM-M-65647-2025(O&M)

Decided on :12.12.2025

Aashmit alias Ashu

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sumit Sangwan, Advocate for the petitioner.

Mr. Amish Sharma, Asst. A.G., Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No. 0131 dated 26.05.2025, under Sections 3(5), 111(4), 111(3) of BNS and Section 25(6) of Arms Act (Section 238(b) of BNS and Section 29 of Arms Act, 1959 were added later on), registered at Police Station Rohtak Sadar, District Rohtak.

2. Case of the prosecution is that, on the basis of secret information received on 25.05.2025, police team conducted a raid at about 10:15 p.m. at the disclosed location. The secret information revealed the presence of **accused-Tarun**, son of Anil, resident of Village Kutabpur, Rewari, and **accused-Mahesh @ Kalu**, son of Ved Parkash, resident of Singhpura Khurd, Rohtak City. During raid, both accused were found together on a motorcycle bearing registration No. HR-89-7705 and were allegedly preparing to commit a crime in Rohtak City. Both were apprehended, and from the right pocket of accused-Tarun's trousers, a black-coloured country-made pistol was recovered. The pistol

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was found unloaded; however, five live cartridges were recovered separately from its magazine.

From accused-Mahesh @ Kalu, one country-made pistol was recovered from the right pocket of the lower garment he was wearing. This pistol was also found unloaded, but four live cartridges were recovered from its magazine. The recovered pistols bore the inscription “PIETRO BERETTA 7.65 MM” and on the other side the marking “USA ITALY.”

3. Learned counsel for the petitioner argues that both arrested accused disclosed the name of another accused, namely Vikas, and upon the arrest of Vikas on the basis of his disclosure statement dated 02.06.2025, another accused-Sagar, was also implicated in the present case.

Accused-Sagar recorded his first disclosure statement on 21.06.2025, in which petitioner’s name was not mentioned. However, in his subsequent disclosure statement recorded on 23.06.2025, petitioner was named as an accused by him.

4. Counsel submits that, as per case of the prosecution, petitioner, in connivance with certain gangsters, is allegedly involved in demanding ransom. Counsel further submits that, charges are yet to be framed and, considering the likelihood of a protracted trial, prays for the grant of regular bail.

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5. Learned State counsel opposes the prayer for bail, submitting that the offences alleged are grave and the petitioner is named in co-accused Sagar's disclosure statement dated 23.06.2025, indicating his involvement in the conspiracy connected with extortion activities. It is further submitted that the investigation is at a crucial stage and release of the petitioner may lead to interference with evidence or influence on witnesses.

However, on the asking of the Court, it is stated that no other criminal case stands registered against petitioner, who is 20 years of age. Despite this, State contends that the seriousness of the allegations warrants denial of bail.

6. I have heard the learned counsel for both parties and have considered the facts alleged in the FIR, as well as the investigation conducted by the prosecution.

7. The involvement of the present petitioner is not directly connected with the first-arrested accused, namely Tarun and Mahesh. Petitioner is implicated only on the second disclosure statement of co-accused Sagar, whereas his name did not appear in the earlier disclosure statement. No recovery has been effected from the petitioner except a mobile phone, which has already been sent to the FSL for examination. Whether petitioner was actually involved in the alleged incident, whether he had any connection with other gangsters, and if so, whether such involvement was intentional or otherwise, are all matters to be examined by the trial Court during the course of trial.

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Considering the period of incarceration of about four months, the fact that no other case stands registered against him, petitioner being 20 years of age, stage of proceedings wherein charges are yet to be framed, and the slow pace of trial, this Court finds merit in the petitioner's prayer. Accordingly, present petition is allowed.

Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned, if not required in any other case.

8. 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.

9. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

12.12.2025*Rashmi*

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*