



CRM-M-68116-2025

1

101

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-68116-2025
DECIDED ON: 19.12.2025

TINKU PAL

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

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

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed by the petitioner, seeking grant of anticipatory bail, in case, FIR No.151, dated 28.06.2024, under Sections 302 of IPC, 1860, and 25,27 of Arms Act, 1959 (Sections 201, 34 of IPC have been added later on, in final investigation report), registered at Police Station Rai, District Sonipat.

2. Contentions addressed by learned counsel for the petitioner on 08.12.2025, are reproduced hereunder:-

“2. While arguing instant anticipatory bail petition, learned counsel for the petitioner argues that in the month of March, 2024, petitioner – Tinku Pal, handed over the pistol to co-accused Kapil @ Mintu, who in furtherance thereto, passed it to other co-accused ‘Mayank’, with which the murder has been committed by co-accused – Sagar.

Learned counsel thus, argues that incident of murder in question took place on 28.06.2024, whereas, as per allegations, pistol in question had been supplied by the petitioner much



earlier to that incident. Therefore, it cannot be assumed that petitioner had any knowledge of committal of murder of deceased – Suresh (Victim) in the instant case.

3. Notice of motion.

4. On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report by verifying the submissions addressed by the petitioner’s counsel.

5. Adjourned to 19.12.2025.

6. Let the status report in regard to the petitioner be filed by detailing, whether any evidence is collected by the prosecution during the course of investigation, viz-a-viz, committal of murder in question.

7. Till the next date of hearing, petitioner shall not be arrested. However, question of joining of investigation of the petitioner would be examined on the next date of hearing.

To be shown in the urgent list.”

3. In response to the aforementioned contentions addressed by learned counsel for the petitioner, learned State counsel has filed status report dated 18.12.2025, along with the post-mortem report (Annexure R-1), copy of disclosure statement of co-accused Mayank (Annexure R-2), FSL reports (Annexures R-3 and R-4), CDR details (Annexure R-5), as well as the disclosure statement of co-accused Kapil alias Mintu (Annexure R-6). Same is ordered to be taken on record. Registry is directed to tag the same at the appropriate place on the file.

4. On the basis of status report, learned State counsel submits that the pistol used in commission of the crime was initially sold by the petitioner to co-accused Kapil alias Mintu, who, in furtherance thereof, handed it over to co-accused Mayank, and thereafter, murder was committed with the said pistol by co-accused Sagar.



5. Referring to paragraph No.5 of the status report, learned State counsel further submits that Call Detail Records (CDRs) reveal that on 12.06.2024 (inadvertently mentioned as 12.05.2024), co-accused Mayank (mobile No. 9991374064), co-accused Kapil alias Mintu (mobile No. 7028825371), and petitioner, Tinku Pal, had a meeting at Royal Dhaba Corner, situated at Kankar Kheda Bypass, Meerut (Uttar Pradesh).

In support of the aforesaid submissions, learned State counsel places reliance upon the disclosure statements of co-accused Kapil alias Mintu and Mayank.

6. In response to the arguments addressed by learned State counsel, learned counsel for the petitioner submits that there is neither any investigation nor any material on record to show the direct involvement of petitioner, or that he had any prior knowledge of, or had conspired with, the other co-accused for selling the pistol for the purpose of murdering a particular person, namely Suresh, in the present case.

5. It is contended that, at best, prosecution can only allege that petitioner illegally sold the pistol without obtaining the requisite permission, and that too, within the State of Uttar Pradesh. However, by no stretch of imagination, petitioner can be termed an accused in the present case for the offence of murder, as he never came into contact with the main accused, namely Sagar.

Furthermore, there is no motive attributed to the petitioner. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.



6. This Court has heard the submissions addressed by learned counsel for the parties and has also perused the record available before it.

7. From the status report dated 18.12.2025, filed by learned State counsel today, it is apparent that although, location of the petitioner and other co-accused, namely Kapil alias Mintu and Mayank, is stated to be at the same place on 12.06.2024 in the area of District Meerut (Uttar Pradesh), mobile number of the petitioner has not been mentioned in paragraph No.5 of the said status report.

Furthermore, neither during the course of arguments nor from the status report, learned State counsel has specifically pointed out any material to establish that petitioner is directly involved in the offence of murder. However, possibility of the prosecution succeeding at trial in proving the charges against the petitioner cannot be completely ruled out.

8. In view of the above, custodial interrogation of the petitioner does not appear to be necessary, unless cogent reasons are shown by the prosecution.

9. Accordingly, order dated 08.12.2025 passed by this Court is hereby modified to the extent that petitioner is directed to join the investigation within a period of two weeks from today, or as and when called upon by the investigating agency. In the event of his arrest, petitioner shall be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. Petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).



CRM-M-68116-2025 5

10. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

11. With the directions passed here above, present petition stands allowed.

19.12.2025
Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>