



CRM-M-2675-2025 and
CRM-M-31392-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2675-2025

Rohit @ Gullu

.....Petitioner

Versus

State of Haryana

.....Respondent

CRM-M-31392-2025

RXXXXXX

.....Petitioner

Versus

State of Haryana

.....Respondent

Decided on: 05.02.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner(s) (in CRM-M-2675-2025)

Mr. Sandeep Verma, Advocate
for the petitioner(s) (in CRM-M-31392-2025).

Mr. Pawan Kumar Jhanda, Sr. DAG Haryana

SANJAY VASHISTH, J. (ORAL)

1. By way of this common order, both the above-mentioned petitions are being decided together as they arise out of the same FIR and common allegations.
2. CRM-M-2675-2025 arises out of **FIR No. 369 dated 18.09.2021**, registered at Police Station Model Town, District Panipat, under Section 346 IPC and Sections 302, 379-B IPC and Section 25 of Arms Act added later on), CRM-M-31392-2025 arises out of **FIR No. 369 dated 18.09.2021**, registered at Police Station Model Town, District Panipat, under Section 346 IPC and thereafter



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Sections 302, 379-B, 201 IPC and Sections 25, 54, 59 of Arms Act (added later on).

3. As per case of the prosecution, an application dated 18.09.2021 was moved by the complainant-Nisha detailing therein that yesterday on 17.09.2021, his maternal uncle-Anil Singh, having sim numbers in his mobile 8179149459 and 9650533382, was coming from Delhi to meet her at Panipat and at about 7.48 p.m. she had a talk with her uncle. When he did not reach in time, another call was made to him, and that time Anil Singh informed that he would be reaching very soon, as he is near to Toll Tax Panipat. When uncle of the complainant did not reach, her brother also made a call, which was attended by some unknown person, however, by picking up the phone, he told that the person who is having this phone has met with an accident near Eldeco. This is how at first instance the FIR in regard to the missing of Anil Singh was got registered by Nisha on 18.09.2021. However, during investigation petitioners herein were found involved in the incident and, thus, were arrested, in regard to committal of offence under Section 302, 379-B and 201 IPC alongwith Section 25 of the Arms Act.

4. Learned counsel for the petitioner(s) argues that a false case has been planted and in actual there is no evidence, proving their guilt even on *prima facie* basis, warranting their conviction in the instant case. Thus, prays for grant of bail.

5. On the other hand, learned State counsel while referring to the status report submits that during the course of investigation on 19.09.2021, dead body of missing person was recovered from bushes near Babbarpur Mandi, G.T. Road, Panipat and same was identified by Surender Singh (brother of deceased-Anil Singh) and Nisha (complainant) and nephew Amit.

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Surender Singh gave his statement in writing and disclosed that infact deceased was carrying 15-20 thousand rupees with him and was also having a mobile phone. After a period of about two months i.e. on 22.11.2021, a secret information was received that Rohit @ Golu (petitioner in CRM-M-2675-2025) and RXXXXX (petitioner in CRM-M-31392-2025), who commit snatching, and many cases already registered against them, could have hand in the commission of crime in the present case. Both of them joined investigation and on deep interrogation, they voluntarily confessed the crime while in police custody and got their separate disclosure statements recorded. During further investigation, petitioner Rohit @ Golu got recovered : (i) remaining Rs. 2,500/- out of Rs. 7,500/- of his share out of total Rs. 15,000/- snatched by him and co-accused from the deceased Anil Singh; (ii) snatched mobile phone of the deceased (iii) the motor cycle bearing registration No. HR 06 AF 4296 used by him (Rohit @ Golu) in the commission of crime (iv) four other mobile phones under Section 102 Cr.P.C.

Similarly co-accused RXXXXX also got recovered : (i) remaining Rs. 3,000/- out of Rs. 7,500/- of his share from the total snatched Rs. 15,000/- (ii) two other mobile phones under Seciton 102 Cr.P.C.

Pointing out the credentials of both the accused, learned State counsel submits that against the petitioner-Rohit @ Golu, there are total 17 cases and in 07 of those cases he has already been convicted and in 10 cases, the trial is still pending. Against the other co-accused RXXX, there are total 02 cases, in one case convicted and in another acquittal is recorded.

Learned State counsel submits that there is ample evidence recovered during the course of investigation against the petitioners and, thus, prays for



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dismissal of the prayer of bail.

6. I have carefully considered the submissions addressed by the respective counsels and also gone through record alongwith the appended status report.

7. As per FSL report dated 12.10.2021, *(i) Ethyl alcohol was detected in exhibits – 1a, 1b and 8c, (ii) Exbt-1a Stomach with contents, part of small and large intestine, Exbt-1b - Portion of lungs, liver, spleen and kidney, Exbt-1C – Blood approx. 20 ml and Exbt-1d – Saline preservative approx. 50 ml., Exbt-8a: One plastic bottle with lid labelled with a Kely Pureâ of capacity 1 liter containing 100 ml transparent liquid, Exbt.8b: One plastic tube labelled as & Patanjali shaving creamac having some white coloured semi solid material approx.-10gm., Exbl-8c: One green coloured quarter of capacity 180 ml labelled as a Royal Green having some light brown coloured liquid approx.-150 ml., Exbt. 8d: One cardboard carton labelled as à Patanjali Giloy Juice having an amber coloured plastic bottle with sealed lid of capacity 500 ml having 500 ml liquid approx.-50 ml.*

8. Nothing has been pointed out from the status report, as to how the contents of Ethyl alcohol was detected in the FSL report by the experts of the Lab from the internal body parts of the deceased. Apart this, it is noticed that the case is completely based upon the circumstantial evidence and that too the alleged recoveries which are being relied upon by the prosecution.

9. On being asked by the Court, as to whether at the time of arrest of both the petitioners herein, their mobile phones were recovered or not from their possession, answer is negative. Thus, it appears that it will be heavily upon the



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prosecution, firstly to prove the mobile phone containing two sims in it (as detailed in FIR), belonging to the deceased-Anil Singh and same having been recovered from petitioner-Rohit @ Gullu, only on his arrest on 22.11.2021 or was it highlighted on record only after arrest of the petitioner – Rohit @ Gullu. In the absence of collection of any such evidence on record that all three of them were ever together at one place or near to the place where the dead body was found, it would not be possible for prosecution to allege that petitioners are actually involved in the incident. Therefore, it is heavily upon the prosecution to prove the presence of all the three at one place i.e. of petitioners herein and the deceased-Anil Singh.

10. Taking all the aspects into consideration alongwith the fact that both the petitioners are inside jail since 22.11.2021 i.e. for last 04 years, 01 month and 04 days and out of total 19 prosecution witnesses, only 07 have been examined till date, both the petitions are **allowed**. Petitioners namely- Rohit @ Gullu (in CRM-M-2675-2025) and RXXXXXX (in CRM-M-31392-2025) are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

11. Needless to observe that the petitioner(s) shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

12. Any of the discussion done and recorded here above, 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



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evidence available on record, as expeditiously as possible, in accordance with law.

- 13. Both the petitions stand disposed of.
- 14. A photocopy of this order be placed on the file of other connected case.

05.02.2026
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(SANJAY VASHISTH)
JUDGE

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