

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

2026:PHHC:019093



227

**CRM-M-6273-2026 (O&M)**  
**Date of decision: 09.02.2026**  
**Date of uploading: 09.02.2026**

**Vishal**

....**Petitioner**

V/s

**State of Haryana**

....**Respondent**

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Kunal Dawar, Senior Advocate with  
Mr. Jagjot Singh, Advocate for the petitioner.

Ms. Priyanka Sadar, Sr. DAG, Haryana.

\*\*\*\*\*

**SUMEET GOEL, J. (ORAL)**

1. Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in case bearing FIR No.87 dated 01.03.2024 registered for offences punishable under Sections 323, 302, 34 IPC and Section 27 of the Arms Act, 1959 (challan presented under Sections 114, 323, 302, 34 IPC and Sections 25/27 of the Arms Act, 1959), at Police Station Hodal, District Palwal.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

*“To the SHO Sir, Police Station Hodal. Sir, It is submitted that I, the applicant Jagveer, son of Prakash Chand, resident of Rohta Patti, Hodal, Tehsil Hodal, District Palwal, am a permanent*

*resident. I work as a typist in the Hodal Court. On 29.02.2024, there was a retirement program for my father, Prakash Chandra, which was being held at my house in Rohta Patti, Hodal. All our relatives and my paternal aunt's son, Pradeep son of Mahender, along with two of his other friends, whose names I do not know, had also come. After the program ended, some relatives left and some stayed at the house. At around 11:30 PM, my brother Ranjeet was lying on the bed in his room upstairs. In the same room, my paternal aunt's son, Pradeep son of Mahender, resident of Rasulpur, Tehsil and District Palwal, along with two of his friends, whom I do not know by name, were drinking alcohol. I told them to have dinner and go to sleep, to which they replied that they would come down in a little while. Ten to fifteen minutes later, I heard a commotion upstairs. Pradeep and his other friends were fighting with my brother Ranjeet. When I went upstairs, I saw that Pradeep son of Mahender, resident of Rasulpur, Tehsil and District Palwal, had aimed a country-made pistol of at my brother and was abusing him. He then fired the shot, which hit my brother in the head. After shooting, Pradeep and his two friends fled. After that, we called the police. The police arrived at the scene, and we took our brother to the hospital. Today, on 01.03.2024, my brother Ranjeet died at Metro Hospital, Faridabad, due to the gunshot wound. My brother was murdered by my paternal aunt's son, Pradeep, and his two friends together. Therefore, it is prayed to you, sir, that a case of murder be registered against Pradeep and his two companions and the strictest legal action be taken.”*

3. Learned senior counsel for the petitioner has submitted that the petitioner is in custody since 23.03.2025. Learned senior counsel for the petitioner further submitted that the FIR in question was registered on 01.03.2024 whereas the petitioner was arrested on 23.03.2025 i.e. after a period of one year. Learned senior counsel for the petitioner further submitted that in the FIR version the petitioner is not attributed the fire shot & the fire shot is attributed to one co-accused namely Pradeep.

Further, in the disclosure statement of said Pradeep, it has been recorded that the petitioner (herein) had instigated the co-accused namely Manoj to fire. Even in the said version, the fire shot is not attributed to the petitioner. Learned senior counsel for the petitioner further argued that no motive is attributed to the petitioner (herein). Thus, regular bail is prayed for.

4. Learned State counsel has vehemently opposed the present petition by arguing that the allegations raised are serious in nature and, hence, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 06.02.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 23.03.2025 and is stated to be in continuous custody since then. Upon culmination of investigation, challan was presented on 19.05.2025 wherein total 22 prosecution witnesses have been cited and out of which none has been examined till date. It is not in dispute that the conclusion of trial will take long. The rival contentions raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

As per the custody certificate dated 06.02.2026 filed by the learned State counsel, the petitioner has suffered incarceration for 10 months & 15 days and is shown to be involved in one more case/FIR. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191***.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

7. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.

- (iv)

The petitioner shall not commit any offence while on bail.
- (v)

The petitioner shall deposit his passport, if any, with the trial Court.
- (vi)

The petitioner shall give his cell phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii)

The petitioner shall not in any manner try to delay the trial.
8.

In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.
9.

Ordered accordingly.
10.

Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
11.

Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)  
JUDGE

February 09, 2026  
Naveen

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