

CRM-M-12516-2026

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

213

**CRM-M-12516-2026
Decided on :19.05.2026**

Deepak Alias Hooter

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Krishan Singh, Advocate
for the petitioner.

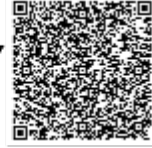
Mr. Pawan Kumar Jhanda, Senior DAG, Haryana.

Mr. Pradeep Virk, Senior Advocate, with
Mr. Kamal Jindal, Advocate
for the complainant.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS, seeking regular bail in case FIR No.413 dated 08.07.2024, under Sections 103(1), 3(5), 249, 61(2) BNS, 2023 and Sections 25(1-B)(a), 27 of Arms Act 1959, registered at Police Station Shivaji Colony, District Rohtak. Petitioner Deepak @ Hooter, who is 24 years old, has filed this second petition. First bail petition i.e. CRM-M-34717-2025 was withdrawn on 21.11.2025.

2. Counsel contends that without there being any substantial evidence, even after withdrawal of the earlier bail petition, petitioner since is inside jail for a period of approximately six months, and from the date of



dismissal of earlier bail petition, not a single witness has been examined, his plea for bail requires to be considered afresh.

3. As per the case of the prosecution, complainant-Devender got registered the FIR on 08.07.2024, which reads as under :-

“To, The S.H.O., Police Station Shivaji Colony, Rohtak, Sir, It is submitted that I, Devender son of Jai Singh is resident of Village that I, Sunaria Kala and I have two sons. My elder son Ravi aged 29 years is doing business of finance and today at about 02:00 PM, Ravi left the house on his Bullet Motorcycle my son No.HR06AN0714 and at about 05:30 PM, I was at home, then Rakesh son of Sh. Bhagwan resident of Sunaria informed me that the dead body of my son Ravi smearing in blood is lying in vacant plot behind Aggarsain Banquet Hall. On information, I reached there and found that there are marks of bullet on body of my son which is lying in vacant plot. I enquired and came to know that my son Ravi has money dealing with Parhlad Rathi son of Satbir resident of Ajit Colony Rohtak. I have suspicion that Parhlad Rathi and his brother Krishan Rathi in connivance with their accomplices murdered my son Ravi by firing bullets. Action be taken as per law. 08.07.2024 Sd/- Devender, Applicant Devender son of Jai Singh, resident of Sunaria, Rohtak, Mobile No.9728413515.”

3. After investigation of the case when accused Prahlad Rathi was arrested on 24.01.2025, while in custody, he also disclosed the name of the petitioner who had supplied him three pistols and 16 cartridges. Thereupon, petitioner arrested in the case, is one of the accused with the allegation of conspirator to commit the crime in question.



4. Mr. Krishan Kumar, Advocate for the petitioner argues that name of the petitioner is neither mentioned in the FIR nor when he was arrested. At the time of his arrest, nothing including any weapon could be recovered from his possession. Petitioner is not having any previous history of being involved in any criminal case of any nature.

5. Rather, it is a case wherein, no one is eye-witness and only on the basis of suspicion, the complainant-Devender got registered the FIR against two accused namely Prahlad Rathi and Krishan Rathi. The disclosure statement of Prahlad was recorded on 06.08.2024 and after five months of the said disclosure statement, the petitioner was arrested in the present case without even collecting any other evidence against him. Thus, prayer for grant of bail.

6. On the other hand Learned Senior DAG, Haryana with the assistance of ASI Dinesh Kumar and also the counsel for the complainant namely Pradeep Virk, Advocate, while opposing the prayer for bail stating that it is a serious offence and accused Prahlad Rathi and Krishan Rathi and another co-accused namely Naresh Kumar, have connived with each other and have committed the present murder. Even, against co-accused Naresh Kumar, there are 19 other criminal cases registered against him.

7. Considered the submissions addressed by the respective counsel and gone through the record available before the Court.

8. The quality or nature of evidence would be looked into by the trial Court and no comments are required/warranted at this stage in the proceedings in the present petition before this Court. Petitioners are inside



since the period of last one year, 3 months and 25 days and till date none of the prosecution witness out of total 33 could be examined by the prosecution. Petitioner is aged about 24 years and not having any criminal record of his involvement in the criminal cases. The allegation is primarily based upon the disclosure statement that too of the co-accused Prahlad and its authenticity is yet to be established by the prosecution by proving it to be allegation before the Court.

9. Another question which may arise before the trial Court is whether the petitioner is accused of supplying of weapon along with 16 cartridges for the purpose of murdering Ravi on simply he had supplied the weapons and that being in his possession, the entire set of allegation against the petitioner would get changed. However, without expressing any opinion for the expressive mind of this Court, any *prima facie* opinion of this Court, it is realized that the request of petitioner for releasing him on bail in the given circumstances is genuine.

10. In view of the aforementioned, the 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.

11. Any of the discussion done and recorded hereinabove, 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.

12. Petition stands disposed of.

19.05.2026
Preeti S.

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No