



CRM-M-18554-2025 and
CRM-M-65616-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18554-2025

Ashish

.....Petitioner

Versus

State of Haryana

.....Respondent

CRM-M-65616-2025

Rakesh

.....Petitioner

Versus

State of Haryana

.....Respondent

Decided on: 03.02.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Hitesh Verma, Advocate (through V.C.)
for the petitioner (in CRM-M-18554-2025)

Mr. Devesh Nehra, Advocate
for the petitioner (in CRM-M-65616-2025).

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. Both the petitions arise out of FIR No. 0034 dated 12.02.2024 registered under Sections 201, 302 IPC (Sections 148, 149, 120-B IPC added later on) at Police Station HSIDC, Barhi, Sonipat, District Sonipat.
3. FIR was got registered by one Shiv Kumar, saying therein that his son

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Pardeep Pal, aged 20 years, was living with his maternal uncle Nepal in a rented room of its owner Dharampal in village Badi, for the last about four months. Complainant received a call from his brother-in-law that someone has murdered Pardeep Pal and upon this, complainant reached there along with his neighbour Guddu and brother-in-law Parmod. On reaching there, he noticed that Sandeep s/o Lakhan (Nepal's uncle's son) was present there and his son Pardeep Pal was brutally murdered by hitting with sharp edge of weapon and even some parts of the body were half burnt to destroy the evidence.

After completion of investigation, challan was submitted against total five persons and thus trial is in process against (i) Nepal, (ii) Ashish, (iii) Dheeraj, (iv) Rakesh, and (v) Nagender.

4. Learned counsel for the petitioner-Ashish argues that petitioner's name was not mentioned in the FIR, and it was subsequently, when he was arrested on 25.02.2024, though not having any evidence against him connected with the crime. Even otherwise also, his name is introduced through a disclosure statement of co-accused Nepal, which in fact, is inadmissible evidence. Otherwise also, petitioner was never part of the conspiracy, nor he was acquainted with the intention of co-accused Nepal and other accused. Even the role assigned of "looking around whether anyone is coming from any side at the place of occurrence", it can be termed as guarding the happening of incident, i.e. becoming a watchman. Whether any actual participation of the petitioner is there or not, is yet to be established by prosecution after observing some un-impeachable evidence during trial, also he being inside jail for the last about 01 year and 08 months and



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his further detention will not serve any meaningful purpose. Thus, prays for grant of bail.

5. As far as role of the petitioner-Rakesh (in CRM-M-65616-2025) is concerned, prosecution submits that the petitioner had called deceased Pardeep Pal at the spot of incident for consumption of liquor. Further, there is an allegation against petitioner that, as per disclosure statement of accused-Nepal, he had brought an iron blade and also purchased liquor from the money given by him and lastly after strangulating, cut the deceased private part. The cause of death as opined by the doctors is due to the injury to the neck as described in the postmortem report. There are total 25 prosecution witnesses and after submission of challan, charges were framed on 03.04.2024. Since case of prosecution completely based upon the circumstantial evidence, by placing reliance much upon the disclosure statement and the alleged recovery, petitioners herein need not be detained in jail any longer, who have already suffered incarceration for a period of 01 year and 11 months, thus, respective counsels pray for grant of bail.

6. I have considered the submissions addressed by learned counsel for the parties.

7. The FIR in the instant case was got registered on 12.02.2024, wherein names of the petitioners were not mentioned as accused. It is subsequent to the registration of FIR that on the basis of supplementary statement of complainant, all the five accused namely (i) Nepal, (ii) Ashish, (iii) Dheeraj, (iv) Rakesh, and (v) Nagender were involved as accused and all of them accordingly were arrested on 25.02.2024. Thus, prosecution basically rely upon the factual aspect mentioned in the disclosure statement as there is no eye witness account. Undoubtedly, certain



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recoveries have been effected in pursuance to the said disclosure statement, such as the mobile phone and the weapon used in the crime. However, as argued by learned counsel for the petitioner(s), nothing has been pointed out by learned State counsel to substantiate the plea of consumption of excessive liquor by the deceased before committal of his murder, though, copy of the postmortem report and the FSL report have been appended with the status report.

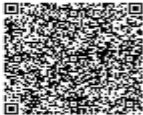
8. Thus, considering the totality of circumstances and the aspect that the petitioners are inside jail for the last more than a period of 01 year and 11 months, and the burden of proving charges is heavily upon the prosecution, much to the circumstantial evidence, this Court deems it appropriate to grant the concession of regular bail to the petitioners.

9. Accordingly, both the petitions are allowed. Ashish (petitioner in CRM-M-18554-2025) and Rakesh (petitioner in CRM-M-65616-2025) 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.

10. 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.

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

12. Both the petitions stand disposed of.



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13. A photocopy of this order be placed on the file of other connected case.

03.02.2026
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(SANJAY VASHISTH)
JUDGE

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