



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-19266-2026
Decided on : 17.04.2026

Rahul Nagar @ Rahul @ Nannu . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Balvinder Sangwan, Advocate
for the petitioner(s).

Mr. Ashwani Kumar Saini, DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant second petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Rahul Nagar @ Rahul @ Nannu	156	13.11.2020	Sections 148, 149, 302, 506 of IPC [corresponding Sections 191(2), 189(5), 103, 351(2) of BNS, 2023] & Section 25 of Arms Act, 1959 [Sections 450, 212, 379, 411, 468, 472, 120-B of IPC added later on, i.e., corresponding Sections 331(4), 249, 303, 317(2), 336(2), 338, 61 of BNS, 2023]	Bhupani	Faridabad

2. Initial regular bail petition filed by the petitioner was dismissed as withdrawn vide order dated 29.04.2024, passed in CRM-M-44983-2023 (O&M), titled as, “Rahul alias Nannu v. State of Haryana” (P-2).

3. Learned counsel for the petitioner submits that on 13.11.2020,



complainant – Gian Chand along with his son were present in their office, at about 9.00 P.M., when he went for a nature call, he heard gun shots and ran towards office where he saw four boys were shooting on his son Rocky. The assailants fled away from the spot along with 5-6 persons, while Rocky son of the complainant was brought to the QRG Hospital, where his son was declared ‘brought dead’ and thereupon, FIR has been registered against co-accused Vinod @ Binnu, Mohit Chuta Tajpuria and unknown persons.

4. Learned counsel for the petitioner submits that name of the petitioner was not there in the FIR, as he was implicated in the case on the basis of disclosure statement suffered by co-accused Krishan Pal @ Krishan. Further submits that in the present case, after completion of investigation charges were framed on 06.08.2021. Petitioner is inside the jail since 01.04.2021 and out of total cited 51 prosecution witnesses, only 12 have been examined so far.

Besides, learned counsel submits that one of the main co-accused of the petitioner, i.e., Vinod alias Binnu alias Vinod Nagar, has been granted concession of regular bail by this Court vide order dated **03.02.2026**, passed in **CRM-M-33547-2025**, titled as, **“Vinod alias Binnu alias Vinod Nagar v. State of Haryana”**. He submits that case of the petitioner is on better footings than the co-accused Vinod alias Binnu alias Vinod Nagar, as has was named in the FIR, whereas, initially petitioner was not named in the FIR, and his name has emerged in the second disclosure statement of one of the co-accused – Krishan Pal @ Krishan. Therefore, in view of the above and by claiming parity, learned counsel prays for grant of concession of regular bail to the petitioner.



5. On the other hand, learned State counsel, while producing the custody certificate dated 16.04.2026 in Court today, opposes the prayer for bail and submits that the petitioner has been implicated on the basis of the disclosure statement of co-accused Krishan Pal @ Krishan. Considering the gravity of the offence, serious nature of allegations, and the petitioner's criminal antecedents, as reflected in the custody certificate, it is submitted that he does not deserve the concession of regular bail at this stage. Learned State counsel, however, fairly concedes that out of total 51 prosecution witnesses, only 12 have been examined so far.

6. Having heard learned counsel for the parties and perused the relevant material available on record with their able assistance, this Court finds that the petitioner was not named in the FIR and his name is stated to have surfaced subsequently during investigation on the basis of the disclosure statement of co-accused – Krishan Pal @ Krishan. The evidentiary value of such disclosure statement and the extent of involvement of the petitioner are matters which would be examined during the course of trial.

It is also a matter of record that the petitioner is inside the jail since 01.04.2021, i.e. for a period of 05 years and 09 days. Though charges were framed on 06.08.2021, yet out of the total cited 51 prosecution witnesses, only 12 have been examined so far. Thus, conclusion of trial is likely to take considerable time.

So far as the criminal antecedents of the petitioner are concerned, same have been pointed out by learned State counsel. However, mere existence of other cases cannot be the sole ground to deny the



concession of bail, particularly when each case is required to be considered on its own facts and petitioner has already undergone long incarceration in the present case.

Additionally, it is also noticeable that co-accused Vinod alias Binu alias Vinod Nagar has already been granted concession of regular bail by this Court vide order dated 03.02.2026, passed in CRM-M-33547-2025. Though parity is not to be applied mechanically, yet said circumstance is also a relevant factor for consideration at this stage.

7. Keeping in view the period of custody already undergone by the petitioner; pace of trial; manner in which the petitioner has been implicated; and without commenting on the merits of the case, this Court is of the considered opinion that further incarceration of the petitioner would not serve any useful purpose.

Consequently, prayer made in the present 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.

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

9. 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.

10. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

April 17, 2026
J.Ram

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