



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

297

CRM-M-23331-2026
Decided on : 05.05.2026

DEEPAK ALIAS POPPI

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gaurav Sharma, Advocate, for the petitioner.
Mr. Amish Sharma, AAG, Haryana.
Ms. Parul Saini, Advocate, for the complainant.

SANJAY VASHISTH, J.

1. The instant 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 hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Deepak @ Poppi, aged about 30 years	935	09.10.2023	148, 149, 302, 201 of IPC (corresponding to sections 191(3), 190, 103, 238 of BNS) and section 25 of Arms Act	Samalkha	Panipat



2. On the very outset, learned counsel for the petitioner has referred order dated 10.03.2026 (Annexure P-5), passed by this Court in CRM-M-4498-2026 (O&M), titled as “*Savtantra @ Chunnu v. State of Haryana*”, whereby, similarly situated co-accused – Savtantra @ Chunnu, was granted concession of regular bail after noticing the facts and submissions of the parties. By relying upon the said order, learned counsel prays for grant of concession of regular bail to the present petitioner on the ground of parity.

For reference and proper adjudication of the present case, the relevant extract of the aforesaid order is reproduced here-under:-

“2. At the time of hearing, the primary contention of the petitioner’s counsel is that the incident took place on 08.10.2023 at about 9.15 p.m. in front of the Office of one of the witness namely, Jaideep. As per the statement of Jaideep during investigation, due to the injuries given by the assailant(s) to Ranjan, who is son of complainant-Ram Karan, lost his life.

3. As per case of the prosecution in FIR, complainant – Ram Karan (father of the deceased - Ranjan) received a call by Arjun from Rubin (PW1) in regard to the incident that injuries have been given by the assailants to Rajan son of complainant. Thereupon, complainant Ram Karan reached to the hospital where his son Ranjan, in injured condition, disclosed to his father that “3/4 days earlier, one Mohit @ Moni had quarrel with him and due to the grudge arising out of that quarrel, today Mohit @ Moni, along with his associates namely, Deepak @ Mirinda, Dheeraj, Deepak @ Popi and Savtantra @ Chunnu collectively assaulted him.” In his statement, deceased Ranjan specifically disclosed that Deepak @ Mirinda and Mohit @ Moni had inflicted knife blows to the deceased.

4. Rubin, on appearing before the Court as Prosecution Witness No.1, has not corroborated/supported the contention.

5. Learned senior counsel for the petitioner refers to the statement of witness-Jaideep, who also while appearing in the witness



box as PW-4, did not support the case of the prosecution, rather stated that he on noticing that someone in front of his office has suffered injuries, he took him to the hospital. Deposition in examination-in-chief of witnesses (Rubin) is as under:-

“(Witness intends to depose in English)

Stated that on 08.10.2023 at about 8:30 to 9:00 PM I was there in the market of Samalkha for purchasing some household articles. When I was coming back from the market towards my rented room Adarsh Nagar and when I reached near Chiranji Hospital, Ranjan son of Ram Karan got hitted by some motor-cycle and there was scuffle between the rider of the motor-cycle and Ranjan. Then the assailants with their sharpened edged weapon caused injuries to Ranjan and all the three assailants fled away from the spot along-with their motor-cycle and with their weapons. The assailants were unknown persons and I cannot identify them. Some people picked up the injured and shifted him to the hospital at the stage. I informed about the incident to the family members of Ranjan.

At this stage, witness is suppressing the truth and requested that witness may be declared hostile. APP for the State wants to cross-examine the witness. Request heard and allowed.”

Deposition in examination-in-chief of witness-Jaideep (PW-4) is as under :-

“(Witness intends to depose in English)

Stated that on 8.10.2023 I was present at my office. I heard a noise from outside when I came out from my office then I saw that a boy had sustained injury and blood was oozing out from his injuries. I shifted him in CHC Samalkha. Nothing else had happened in my present.

(At this stage, the Learned PP for the State, requested that the witness is suppressing the truth and resiled from his statement and he may be declared hostile. He further requested that he may be allowed to cross examine the witness).

Heard. Allowed.”

6. *Learned counsel for the petitioner argues that even if the allegations are taken to be correct upon its face value, no role has been assigned to the present petitioner of causing any injury or even being armed with any weapon at the spot. Two of the witnesses namely, Jaideep (PW-4) and Rubin (PW-1) have already turned hostile as they failed to support the prosecution version. He further argues that from the possession of petitioner-Savtantra @ Chunni, no weapon was recovered, nothing was recovered and after he being arrested, he is inside jail since 12.10.2023 and conclusion of trial may take some considerable time, therefore, prays for grant of bail.*



7. *Learned State counsel, produces the custody certificate dated 25.02.2026 in Court today, which is taken on record. Office to tag the same at appropriate place.*

As per the custody certificate, in the present case, petitioner has already undergone 01 year 02 months and 09 days period inside jail.

8. *On the other hand, learned State counsel assisted by learned counsel for the complainant-Ms. Parul Saini, it is vehemently argued that in fact, the CDR details i.e. calls amongst all the accused itself shows that all of them had connived together to kill Ranjan, therefore, it won't be material if the petitioner was armed or unarmed. His involvement is very much clear from the facts and circumstances as he has been named by the complainant-Ram Karan in the FIR also."*

3. Additionally, counsel for the petitioner submits that co-accused Dheeraj has also been granted the concession of regular bail by this Court, vide order dated 24.04.2026 passed in CRM-M-20997-2026.

Therefore, in view of the above and by claiming parity, learned counsel prays for grant of concession of regular bail to the petitioner in the present case.

4. On the other hand, learned State counsel has filed the custody certificate dated 01.05.2026 in Court today, which is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 02 years, 04 months and 23 days period inside jail.

5. Learned State counsel assisted by counsel for the complainant, argues that in fact, the CDR details i.e. calls amongst all the accused persons itself show that all of them had connived together to kill



Ranjan, therefore, it would not be material if the petitioner was armed or unarmed. His involvement is very much clear from the facts and circumstances as he has been named by the complainant in the FIR also.

It is further submitted that merely because co-accused namely Savtantra @ Chunnu and Dheeraj have been granted the concession of regular bail, present petitioner does not automatically become entitled to the same relief.

However, learned State counsel does not dispute the factual assertions noticed here-above.

6. I have heard learned counsel for the parties and perused the relevant material available on record.

7. Admittedly, petitioner is inside the jail since 07.12.2023, and he is stated to be aged about 30 years. It has also been noticed that no specific role of causing any injury has been attributed to the present petitioner by the deceased – Ranjan in the statement allegedly made to his father complainant – Ram Karan. Rather, as per the prosecution version itself, principal allegations of inflicting knife blows are attributed to co-accused Deepak @ Mirinda and Mohit @ Moni.

Except naming the petitioner along with others, no distinct overt act, has been specifically assigned to him in the FIR. Whether petitioner was acting in connivance with the other accused persons with a common object to eliminate the deceased, is a matter which would require adjudication by the learned trial Court after appreciation of the entire evidence.



It is also a relevant fact to note that similarly situated co-accused, namely Savtantra @ Chunnu and Dheeraj have already been granted concession of regular bail by this Court, vide orders dated 10.03.2026 (passed in CRM-M-4498-2026) (Annexure P-5) and 24.04.2026 (passed in CRM-M-20997-2026), respectively. Though parity is not to be applied mechanically, the said circumstance is certainly a relevant factor for consideration.

Besides, petitioner has already undergone substantial custody and the trial is still pending. Thus, no useful purpose would be served by keeping the petitioner inside the jail for an indefinite period.

8. Considering totality of the circumstances; nature of allegations levelled against the petitioner; factors noticed/recorded here-above, and also on the ground of parity, this Court deems it appropriate to grant concession of regular bail to the petitioner in the present case.

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/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

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

10. 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.

- 11. Petition stands **disposed of**.
- 12. Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

05.05.2026
Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**