



CRM-M-24985-2026

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

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CRM-M-24985-2026

Date of decision : 08.05.2026

DEEPAK KUMAR @ DEEPAK

... PETITIONER

Versus

STATE OF HARYANA

.. RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Pranshul Dhull, Advocate and
Mr. Ravinder Singh Vohra, Advocate for the petitioner.

Mr. Vijay Kumar, AAG, Haryana.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 439 Cr.P.C.) seeking grant of regular bail to the petitioner in case FIR No.376 dated 05.06.2025 under Sections 103(1), 109(1), 3(5) of BNS, 2023 (erstwhile Sections 302, 307, 34 Indian Penal Code, 1860) and Section 25 Arms Act, 1959, registered at Police Station Sadar Gurugram, District Gurugram.

2. The case of the prosecution is that an altercation took place between the complainant and co-accused Manoj Paan Wala and other co-accused including the petitioner with regard to entry into ILD Mall. Thereafter, the complainant called his brother-Waseem for help. It is alleged that when Waseem reached the spot, co-accused Manoj fired at the complainant, however, the complainant bent down in order to save himself.

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Thereafter, a second gunshot was fired and the bullet hit his brother-Waseem in the stomach, as a result of which he succumbed to the injury.

3. Learned Senior counsel for the petitioner, however, submits that the petitioner has been falsely implicated in this case and there is no incriminating material against him which would connect him with the alleged offence. He further submits that neither any specific nor any motive has been attributed to the petitioner. It is further submitted that neither the complainant nor the alleged eye-witness has supported the case of the prosecution qua the involvement of the petitioner and they have not even identified the petitioner. He also submits that the petitioner, who is 34 years of age, is in custody for the last more than 11 months and 03 days and is not involved in any other case. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as only 09 out of 27 cited prosecution witnesses have been examined so far.

4. Notice of motion.

5. On the asking of the Court, Mr. Vijay Kumar, AAG, Haryana, accepts notice on behalf of the respondent/State and has filed the custody certificate of the petitioner in Court, which is taken on record. He vehemently opposes the prayer for grant of regular bail to the petitioner. He, upon instructions, submits that the petitioner is in custody for the last more than 11 months and 03 days. He, upon instructions, submits that only 09 out of 27 cited prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties and perused the record.

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6. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner, who is 34 years of age, is in custody for the last more than 11 months and 03 days, he is not involved in any other case, the complainant and the alleged eye-witness have not supported the prosecution case qua the involvement of the petitioner and that the trial is likely to take a long time to conclude as only 09 out of 27 cited prosecution witnesses have been examined so far, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. However, it is made clear that in case the petitioner misuses the concession of bail, the State/complainant would be at liberty to seek cancellation of his bail.

May 08, 2026
Sonia

(H.S.GREWAL)
JUDGE

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