



CRM-M-40535-2025 and
CRM-M-53726-2025

1

149 (2 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40535-2025

Ankit

.....Petitioner

Versus

State of Haryana

.....Respondent

CRM-M-53726-2025

Om Parkash alias Mantak

.....Petitioner

Versus

State of Haryana

.....Respondent

Decided on: 07.05.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vikas Singh, Sr. Advocate with
Ms. Anamika Sheoran, Advocate
for the petitioner(s) (in CRM-M-40535-2025)

Mr. Kunal Jindia, Advocate,
Ms. Gauri Swarup Bansal, Advocate and
Mr. Vicky Sharma, Advocate
for the petitioner(s) (in CRM-M-53726-2025)

Mr. Pawan Kumar Jhanda, Sr. DAG Haryana

Mr. G.C. Shahpuri, Advocate
for the complainant

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.



**CRM-M-40535-2025 and
CRM-M-53726-2025**

2

2. Petitioner – Ankit (in CRM-M-40535-2025) has filed instant first bail petition under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail, during the pendency of trial, who has been booked in a criminal case arising out of FIR No. 286, dated 28.07.2019 registered under Sections 148, 149, 302, 452, 120-B, 34 IPC and Section 25/54/59 of Arms Act at Police Station Hathin, District Palwal, Haryana.

3. Petitioner – Om Parkash alias Mantak (in CRM-M-53726-2025) has filed instant third bail petition under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who has been booked in a criminal case arising out of FIR No. 286, dated 28.07.2019 registered under Sections 148, 149, 302, 452, 120-B, 34 IPC and Section 25 of Arms Act at Police Station Hathin, District Palwal, Haryana.

First bail petition filed by petitioner – Om Parkash alias Mantak i.e. CRM-M-43813-2022 was dismissed vide order dated 01.08.2023. Second bail petition i.e. CRM-M-44460-2024 filed by him was also got dismissed vide order dated 12.09.2024. Therefore, the present petition is third bail petition filed by him.

4. Complainant-Ramvati got registered FIR with the following version :

“For registration of a case of murder, it is requested that I am Ramvati wife of Sher Singh, cast Jat, resident of Janachauli, I have children, I have two sons and a daughter, my husband Sher Singh has gone to Haridwar to take Kavad. My elder son Sunil is in the army, who has come on leave and had gone to meet relatives. I and my younger son Anil Kumar were at home. I was doing household work. My son Anil Kumar was lying on a cot in the veranda. Yesterday, on 27.07.2019, at about 7:00 PM, three men came running towards my son with weapons and shot 20/25 bullets at my son, Anil Kumar, which hit Anil Kumar's body and he was soaked in blood. They fired back. One of them was Mantak alias



**CRM-M-40535-2025 and
CRM-M-53726-2025**

3

Om Prakash son of Tejpal, caste Jat, village Janacholi, whom I recognized. He was accompanied by two other boys. They ran with weapons towards my son Anil Kumar and fired bullets at Anil who was lying down. One of the boys said, "I am Ankit Pandit Dhamaka." A boy was standing at the door of my house. I recognized him, whose name was Lalit son of Sundar, resident of Janacholi. While firing, all four young boys fled in a white car parked near the school. Pappu alias Kamal son of Harichand and Ashok Kumar son of Harish and Ashok Kumar son of Mavaasi Ram of my family put Anil in their car and went to the Hospital. This accident happened in minutes which I have seen with my own eyes. Doctors declared my son Anil Kumar dead. My son Anil Kumar was murdered by Mantak alias Omprakash son of Tejpal resident Janacholi and Akit Pandit resident of Dhamaka along with their other companions whose names I do not know, by shooting with their respective weapons and Lalit son of Sundar resident Janacholi stood at the gate and kept watch and got my son killed. A case should be registered against all of them and strict action should be taken. Yesterday on 27.07.2019 I was not in a condition to give statement, today I have given the statement to you in Government Hospital Palwal. Applicant- Ramvati wife of Sher Singh, caste Jat, resident of Janacholi, Phone No.9671534403."

5. When complainant-Ramvati, appeared as PW-1, before the trial Court on 02.12.2021, she reiterated her version, wherein she stated that four accused persons were present at her house during killing of her son Anil. Despite this, she only identified three i.e. Ankit, Om Parkash @ Mantak and Lalit. Her cross-examination was subsequently conducted on 20.01.2022.

Without going much in factual details, learned senior counsel argues that petitioner(s) are inside jail for the period of last more than 06 years and 06 months and has never seen the light of the day outside jail. It is also submitted that trial is currently stalled, largely due to a pending criminal revision (CRR-47 of 2024) filed by the complainant-Ramvati. Further submits that, trial is not moving at a required pace, more for the reason of non-appearance of the official witnesses and, thus, argues that liberty of the petitioner(s) can not be curtailed for indefinite



**CRM-M-40535-2025 and
CRM-M-53726-2025**

4

period. Additionally, learned senior counsel for the petitioner(s) submits that, whether complainant-Ramvati was actually present or not there on the spot, being witness, is a matter to be adjudicated by the trial Court.

6. Learned State counsel being assisted by learned counsel for the complainant is also not able to controvert the fact that petitioner(s) are inside jail in the present case for the last 06 years and 06 months and out of total 39 prosecution witnesses, till date only 08 have been examined and, thus, 31 prosecution witnesses are yet to be examined. Learned State counsel also informs that petitioner – Ankit is a hard core criminal and is facing 14 other criminal cases and petitioner - Om Parkash @ Mantak is facing 03 other criminal cases.

7. I have considered the submissions addressed by respective counsel for the parties and with their able assistance gone through the record.

8. Undoubtedly, there is direct evidence and such is the deposition before the trial Court, however, once the witness has supported the case of the prosecution, who admittedly was the sole eye witness, the apprehension that the accused may apply pressure or influence the witnesses is almost nil. The petitioner(s) are inside jail since more than a custody period of 06 years and 06 months and can not be detained inside jail for an indefinite period.

9. Consequently, the present petitions are allowed. Petitioners namely, Ankit (in CRM-M-40535-2025) and Om Parkash alias Mantak (in CRM-M-53726-2025) 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. However, it is clarified that in case there is any kind of of interference



**CRM-M-40535-2025 and
CRM-M-53726-2025**

5

or delay caused by the petitioner(s) the prosecution would be at liberty to move application for cancellation of bail.

11. While parting with the order, trial Court is directed to proceed with the trial and to decide the same without any unnecessary delay and if need arises, Superintendent of Police be called in, to get explanation as to why official witnesses are not appearing before the Court causing unnecessary delay in such a case of heinous crime.

12. Both the petitions stand disposed of.

13. Copy of the order be forwarded to trial court for information and compliance.

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

07.05.2026

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**(SANJAY VASHISTH)
JUDGE**

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