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

**CRM-M-47444-2025 (O&M)
DECIDED ON: 05.03.2026**

SANDEEP ALIAS SANDY**.....PETITIONER**

VERSUS

STATE OF HARYANA**.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Ms. Mudit Johar, Advocate, for
Mr. Abhimanyu Singh, Advocate, for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed by the petitioner, seeking grant of regular bail, in case, FIR No.259, dated 23.04.2024, under Sections 302, 34 of IPC, registered at Police Station Sector 10, District Gurugram.

2. Brief facts of the prosecution case are that on 23.04.2024, a complaint was made to the police by Bijender, stating that his younger son Avinash @ Ricky (since deceased) was working in a D.O. company. On the said date, he received information from Sector 10A that someone had inflicted injuries upon Avinash and he had been admitted to General Hospital, Sector 10, from where he was later referred to PGIMS, Rohtak. Upon receiving the information, complainant reached PGIMS, Rohtak, where the doctors declared Avinash dead.

It was further alleged that at about 12:30 A.M., a quarrel had taken place between Avinash and two other boys at Sector 37 T-Point, Hero Honda Basai Road, and during the said quarrel, the assailants had stabbed his son with a knife. A knife injury was allegedly inflicted on the left side of the chest of the deceased, which resulted in his death. Complainant disclosed the names of the accused persons as Mohit and Sandeep @ Sandy (petitioner herein). On the basis of the said complaint, present FIR was registered.

3. Learned counsel for the petitioner argues that in the complaint, it has not been explained as to how the complainant came to know the names of the accused persons involved in the occurrence, namely Sandeep @ Sandy (petitioner) and Mohit.

It is further submitted that as per the FIR, Constable Deepak is not shown to be an eye-witness to the occurrence and appears to have been introduced subsequently by way of concocted allegations against the accused persons.

4. It is further argued that as per the prosecution case itself, petitioner and his co-accused Mohit were together at the time of the alleged occurrence, and the said co-accused Mohit has already been granted the concession of regular bail by this Court, vide order dated 23.07.2025 passed in CRM-M-1152-2025 (Annexure P-6).

Although, petitioner is alleged to have been armed with a knife and to have inflicted the injury on the chest of the deceased, it is submitted that at this stage, the exact role cannot be conclusively

distinguished, as per the disclosure statement of co-accused Mohit, wherein it has been alleged that Mohit had caught hold of the deceased from behind and had asked the petitioner to take out his knife and finish him.

5. Further submits that petitioner is in custody since 23.04.2024, i.e. for a period of more than one year and ten months, and trial is not likely to conclude in the near future. Therefore, it is prayed that the petitioner be granted the concession of regular bail.

6. On the other hand, learned State counsel submits that Constable Deepak, who has appeared as PW-4, is an eye-witness to the occurrence and has fully supported the case of the prosecution. It is further contended that role of the petitioner and of his co-accused Mohit are on entirely different footings and, therefore, no parity can be claimed by the petitioner.

It is further argued that pursuant to the disclosure statement of the petitioner-Sandeep @ Sandy, clothes smeared with blood, a wristwatch, and the knife allegedly used in the commission of the crime were recovered.

7. Faced with the situation, counsel for the petitioner prays for withdrawal of the present petition, at this stage.

8. Accordingly, present petition stands dismissed as withdrawn, at this stage.

05.03.2026

Lavisha

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No