



CRM-M-52395-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-52395-2025
Decided on : 28.04.2026

Ajay

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Davinder Lubana, Advocate
for the petitioner(s).

Mr. Parveen Kumar Aggarwal, Addl. A.G. Haryana

SANJAY VASHISTH, J. (Oral)

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
Ajay, aged about 20 years	0173	13.10.2024	103(1), 3(5) of BNS, (Sections 190, 191(3), 115(2), 118(1), 324(4), 351(2) of BNS added later on)	Sector 20	Panchkula, Haryana

2. The present FIR came to be registered at the instance of Chaman Prakash S/o Ramesh Kumar and the same reads as under:-

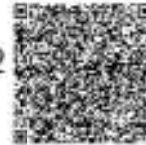
“Statement of Chaman Prakash son of Ramesh Kumar resident of Village lehrawan, P.S. Vahjoyi, District Sambhal, Uttar Pradesh presently tenant in House No. 216, Ashiana Complex, Sector 20, Panchkula, District Panchkula aged 25 years mobile No. 84494-69765 Stated that I am residing at the above referred place. We are three brothers. Elder one is Pardeep younger to him is



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Sonu and I am the youngest one. Pushpinder son of Prem Pal resident of village Machkedha, P.S. Behjoyi, District Sangal, UP presently residing at House No. 219, Ashiana, Sector 20, Panchkula, aged about 25 years is son of my brother in law's brother in law. He is residing in our neighbourhood. Pushpinder earns his livelihood of his family by plying e-rikshaw in Panchkula. Today on 12.10.2024 myself and Pushpinder were going to see Dushera function in Sector-15 Panchkula with our families in our e-rikshaw we started at 05:30 PM in my e-rikshaw myself, my brother's wife Nanni and other members of my family were sitting, I myself was driving the e-rikshaw. Pushpinder, his wife Preeti and his brother sister were sitting in his rikshaw. At about 05:45 the rikshaws reached near Amar Chownk lights. When we reached about 100 meters beyond the chownk the driver of truck No. HP69A-4854 stopped all of his sudden by applying brakes. I applied breaks to my e-rikshaw immediately but still it struck with the truck. Its front portion was damaged myself and other members of my family suffered injuries. Pushpinder who was going ahead of my e-rikshaw gave call to me at my mobile No. 84494-69765 from his mobile 9878929847 to enquire for my whereabouts. I told him that my rikshaw has met struck at the back of a truck. On hearing this Pushpinder came to the place of accident on his e-rikshaw by taking u turn, parked his rikshaw on one side and came to me. The other occupants of his rikshaw also came near us. Some young boys also came there on motorcycle. Pushpinder then went in front of the truck the unknown numbering 3-4 motorcyclist taking Pushpinder to be its driver gave beatings to him. One young man with a weapon having pointed front gave injury to Pushpinder on his back towards left and the second young man gave a blow of wodden plan on the head of Pushpinder. He was also given stone injuries. At that time Guddi sister of Pushpinder's father and Nanni also came near him and tried to save him from the young man. The young boys also gave beatings to them by taking chance, the truck driver ran from there. Many passers-by and other persons collected at the spot by seeing those persons having been collected there 3-4 young boys ran away from the spot on their motorcycle. Injured Pushpinder were removed to a Government Hospital, Sector 6 Panchkula in a private hospital by a Guddi and Nanni for his treatment. There the doctor declared injures Pushpinder to be dead. The motorcyclist numbering 3/4 gave injuries to Pushpinder wife with sharp weapon having pointed front and stones on account of which Pushpinder died. Those unknown young boys may be traced so as to take legal action against them and justice may got done to us.

Sd/- Chaman Prakash mobile No. 84494-69765."



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3. Learned counsel for the petitioner contends that the petitioner has not been named in the FIR. He has been named in the disclosure statement of his co-accused namely Kishan. As per the prosecution case Kishan and Chottu were arrested and have been identified by the eyewitnesses. There has been a recovery of bloodstained clothes, motorcycle and knife used in the offence from the said accused. So far as the present petitioner is concerned, no incriminating articles has been recovered from him.

Referring the statement of complainant-Chaman Prakash, who appeared as PW-1 before the Court, learned counsel for the petitioner reads out the para, wherein it has been stated by the said witness that the accused Kishan and Chottu were identified as accused, who had given knife blows to deceased Pushpinder and also pelted stones upon him.

The petitioner is in custody for the last more than a period of 01 year, 06 months and 10 days and the trial of the present case is not likely to be concluded anytime soon. He submits that co-accused Umesh Yadav has already been released on bail by this Court vide order dated 11.09.2025 passed in CRM-M-38986-2025. Accordingly, prays for grant of bail to the petitioner as well.

4. On the other hand, learned State counsel opposed the prayer and submissions advanced on behalf of the petitioner. He, however, concedes that the petitioner is not named in the FIR and is in custody since 17.10.2024.

5. Heard learned counsel for the parties and perused the material available on record.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the trial. Admittedly, the petitioner is in custody since 17.10.2024 and the trial of the present case is not



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likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Consequently, 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 disposed of.

April 28, 2026

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

(SANJAY VASHISTH)
JUDGE