

2026:PHHC:010622



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.55034 of 2025

Sachin ... Petitioner

Versus

State of Haryana ... Respondent

1.	The date when the judgment is reserved	23.01.2026
2.	The date when the judgment is pronounced	27.01.2026
3.	The date when the judgment is uploaded on the website	27.01.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sandeep Saini, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under
Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short

2026:PHHC:010622



“BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
253	01.08.2020	Asauda, District Jhajjar	307, 302, 34, 120-B, 107 and 108 of IPC and 25 and 27 of Arms Act, 1959

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Chandram on 01.08.2020 alleging that on the same day, he along with his son Ravinder and one Gulab was sitting outside his house in the street when two motorbikes stopped in front of them. The accused Vikas and Suresh already known to the complainant, along with one more youth, were occupants of one bike whereas on the another bike, petitioner was sitting along with Mithun @ Bihari and one more youth. One of them made an exhortation to kill Ravinder by saying that he used to help Mohit. On his saying so, the petitioner, accused Vikas, Suresh and Mithun @ Bihari fired shots with pistols which they were carrying in their hands. One of the bullet had hit Gulab whereas his son Ravinder sustained several firearm injuries. Thereafter, the assailants fled away. The victims were rushed to the hospital but Ravinder succumbed to his injuries. By alleging that there was enmity within the family of the accused Vikas, the present petitioner and family of Mohit, who was the friend of his son and due to this reason, his son had been killed, the complainant prayed for taking action in the matter. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 25.02.2021. He suffered disclosure

2026:PHHC:010622



statement admitting his involvement in the crime. The co-accused were arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No recovery has been effected from him. No specific injuries on the person of the victims has been attributed to him. He is in custody for a period of about 4 years and 11 months. The trial will take time to conclude. No useful purpose would be served by keeping him in custody any more. It is, thus, urged that the petition deserves to be allowed.

4. Status report has been filed. Learned Assistant Advocate General, Haryana has argued that the allegations against the petitioner are grave in nature. He was an active member of the armed assailant group and in prosecution of common object and in pursuance of the criminal conspiracy hatched with the co-accused, had fired shots upon the victims. The trial is going on at a proper pace. The petitioner is a habitual offender being involved in several other cases. There are chances of his indulging in commission of similar offences or absconding, if extended benefit of bail. The complainant and one eye-witness have since been examined and have supported the prosecution version qua involvement of the petitioner as well. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have hatched a conspiracy with the co-accused and in pursuance of that conspiracy, is alleged to have fired shots

2026:PHHC:010622



at victim Gulab and Ravinder thereby causing death of victim Ravinder. He was specifically named in the FIR and specific act have been attributed to him. The copies of sworn testimonies of complainant and injured eye-witness Gulab, have been placed on record and a perusal of the same reveals that they have duly supported the prosecution version. The allegations against the petitioner are serious in nature as he along with the co-accused stands accused of a heinous crime punishable with capital punishment or life imprisonment. Undoubtedly, length of incarceration is a factor that weighs with the Court in considering bail, however, it cannot overshadow gravity of the accusation of murder under Section 302 of IPC. The well settled proposition of a law is that grant of bail is a discretionary relief to be granted or denied based on specific facts and circumstances of each case and there cannot be any exhaustive parameter set out for considering the application for grant of bail. The factors such as nature of accusations, severity of punishment if accusations entail a conviction and nature of evidence in support of accusations are to be seen. That apart, reasonable apprehension of tampering with evidence or threatening material witnesses is also to be weighed. Frivolity of prosecution should always be considered and it is only the element of genuineness that has to be considered in the matter of grant of bail. No doubt, the trial is likely to take time since only 10 out of 33 witnesses have been examined. However, only on the ground of prolonged custody and the reason that the trial may take time, a person accused of serious offences like the present one cannot be extended benefit of bail.

2026:PHHC:010622



Reliance in this regard is placed by this Court upon the observations made in *Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC), Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242* and *State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)* case.

7. Taking into consideration the gravity of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, this Court is of the considered opinion the petitioner does not deserve to be given benefit of regular bail. Accordingly, the petition is dismissed.

27.01.2026
manju

(MANISHA BATRA)
JUDGE

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