



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109

CRM-M-59137-2025 (O&M)
Decided on : 07.05.2026

VIKRAM ALIAS KANDU

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Samay Sandhawalia, Advocate,
for the petitioner.

Mr. Parveen Kumar Aggarwal, Addl. AG, Haryana.

SANJAY VASHISTH, J.

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
Vikram @ Kandu, aged about 26 years	547	23.09.2024	111(3), 238(b), 3(5) of BNS and 25(6) of Arms Act	Kharkhoda	Sonepat

2. FIR in the present case was registered on the basis of the statement made by SI Manoj Kumar and the same is reproduced here below:-



“To the SHO P.S. Kharkhoda, District Sonipat. Today, I, P/SI was present in the premises of Special Task Force Unit, Rohtak, where in connection with the murder case committed by gangster Himanshu alias Bhau in Village Kharad Alipur, District Hisar bearing FIR No.678 dated 15.08.2024 registered at P.S. Sadar Hisar, a notice was given on 21.09.2024 to Manesh alias Monu son Om Prakash, resident of Village Prahaladpur (Kidoli) for joining investigation on 22.09.2024. Since the above case is related to organized crime/gang, senior officers have also given separate instructions to all the units of Special Task Force to work in the above case. On 22.09.2024, Manesh appeared in the premises of Special Task Force Unit, Rohtak. I, P/SI conducted enquiry on him. On my interrogation, Manesh alias Monu disclosed that "I was in jail for robbery, dacoity and murder case and I was released from jail about 1½ years ago. I have a good friendship with gangsters Himanshu alias Bhau and Sahil. About four months ago, gangster Himanshu alias Bhau contacted me on mobile phone through social media App and got a bag of weapons kept near KMP bridge, near Asoda, District Jhajjar. I brought it with me. About one and a half months ago, on the instructions of Himanshu alias Bhau, I sent that bag of weapons to Sonu, resident Kharad on Sundarpur drain Rohtak through my Mausi's son Vikram alias Kandhu, resident Badli. Out of those weapons, I kept about 300 live rounds of different types and one country made pistol and two magazines with me. I have kept hidden the country made pistol and live rounds in a broken washing machine in my cattle shed. I can get them recovered". The inquiry is worth considering. After informing the officers about this information, I, P/SI alongwith SI Ranbir Singh No.331/H, Ct. Praveen No.690/FBD in government vehicle bearing No.HR-26- GV-9971, driver of which was HC Surender No.2042/RTK alongwith Manesh @ Monu reached at the cattle shed in the house of Manesh @ Monu at Village Prahladpur, where I met an independent witness Anil son of Jagbir Singh, resident of Prahladour Kidoli near his house. After informing him about the information, reached at the house of Manesh. Manesh himself entered into the cattle shed and got recovered a white coloured bag from inside a broken washing machine. On checking it, a country made pistol, another empty magazine and 288 live rounds of different bore were recovered from inside it. When the recovered pistol was inspected, it



was found empty. On its barrel, Marshal France was written in English and on both sides of the butt, black coloured plastic strip was attached. After preparing a separate rough sketch of the country made pistol, another empty magazine and live rounds, the measurement of the country made pistol was conducted, then length of barrel including body came to 16 cm and the length of the butt was 9 CM. A separate parcel of the country made pistol, another empty magazine and live rounds was prepared and sealed the same with seal impression 'TC'. Seal after use was handed over to HC Surrender No.2042/RTK. The recovered country made pistol, another empty magazine and live rounds were taken into police possession as evidence vide separate seizure memo. Accused and witnesses appended their signatures on the said memo and rough sketch. The videography of the proceedings was done separately by Ct. Praveen No.690/FBD through my phone as per my instructions. The above person Manesh, being a member of an organized gang, has committed the offence under Section 25(6) of the ARMS AMENDMENT ACT 2019 and Section 111(3) of the BNS by exchanging illegal weapons for the gang and by illegally possessing a country made pistol, another empty magazine and live rounds. Upon which, after writing ruqa, same is being sent to police station by hand through Ct. Praveen No.690/RTK for registration of FIR and after. registering FIR, number of which be informed. Senior officers be informed about the facts of the case. For further investigation of the case, some another Investigating Officer from the Special Task Force Unit, Rohtak should be sent at the spot. Today, at Village Kidoli Prahladpur. Sd/- P/SI Manoj, Special Task Force, Rohtak dated 23.09.2024 at 12.05 am.”

3. Learned counsel for the petitioner contends that petitioner is not named in the FIR and has been falsely involved due to village politics. He further contends that petitioner is a member of Block Samiti and his political opponents got him involved in the present case. Even the entire case is based on disclosure statements suffered by his co-accused



in police custody and even during the course of investigation, police could not collect any admissible evidence against petitioner.

Even no recovery of weapon or any other incriminating material was made from the petitioner. Thus, there is no credible evidence on record, which may connect him with the commission of crime.

Further submits that petitioner was arrested in the present case on 26.09.2024, i.e. for a period of about 01 year and 7 months. Out of total 37 prosecution witnesses, only 3 have been examined, till date. Thus, further custody of the petitioner will not serve any meaningful purpose.

4. Additionally, it is submitted that co-accused, who are similarly situated, namely Rahul alias Bhola and Paramjeet, have already been granted the concession of regular bail by the co-ordinate Bench of this Court, vide orders dated 08.05.2025 (passed in CRM-M-13221-2025) and 19.08.2025 (passed in CRM-M-33693-2025), respectively. Thus, counsel prays for grant of regular bail to the petitioner in the present case.

5. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 05.05.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 year 07 months and 10 days period inside jail.



6. Learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that petitioner is a member of Himanshu alias Bhau Gang and he had supplied the weapons to co-accused Manesh, and weapons supplied by the petitioner were allegedly used in a crime at Hisar. Thus, he prays for dismissal of the present petition.

7. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.

8. Allegations may be serious against the petitioner in the present case but this Court is conscious of the fact that petitioner is in custody for the last about 01 year and 07 months and out of total 37 prosecution witnesses, only 3 have been examined till date. Moreover, similarly situated co-accused, namely Rahul alias Bhola and Paramjeet have been granted the concession of regular bail by the co-ordinate Bench of this Court.

9. Considering the totality of circumstances, and facts/allegations levelled against the petitioner, and the factors noticed here above, this Court deems it appropriate to grant the concession of bail to the petitioner in the present case.

Consequently, prayer made in 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/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.



10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
11. 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.
12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

07.05.2026
Lavisha

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO