



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

**CRM-M-59144-2025 (O&M)
Date of decision : 23.03.2026**

Dharambir @ Golu

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Keshav Pratap Singh, Advocate and
Mr. Bharat Singh, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

CRM-42137-2025

Application is allowed as prayed for.

Main case

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.19 dated 20.01.2025, under Sections 103(1), 190, 191(2), 191(3), 3(5), 126(2), 111(2), 61(2) of BNS, 2023 and Section 25/29 of the Arms Act, 1959 (Sections 190, 191(2), 191(3) were deleted and Sections 3(5), 126(2), 111(2), 61(2) of BNS, 2023 were added later on), registered at Police Station Sadar Hansi, District Hisar.

2. Succinctly facts of the case are that the FIR has been lodged on the statement of Sandeep @ Godiya. It was alleged that on 20.01.2025 at about 07:30/08:00 PM, when his brother Kuldeep @ Deepla was going to the shop of Anil to purchase some household items, Madan, Ramnivas, Dholu @ Jagjit, Sunil along with 3-4 other persons came there and killed

his brother by firing gunshots. It was alleged that in the year, 2015, a



scuffle took place between his elder brother namely, Kuldeep @ Deepla and Mahabir, in which Mahabir died. It was alleged that in that case, the allegation of murder was on complainant's brother and his brother got acquitted in the same and in order to take revenge, Madan @ Bachhi got complainant's brother killed. Request was made to take legal action against the accused. On the registration of the FIR, investigation commenced. During investigation, complicity of the present petitioner surfaced on the basis of disclosure statement of co-accused and hence, he was arrested on 07.05.2025. He approached the Court of learned Additional Sessions Judge, Hisar, praying for grant of bail, however, after hearing counsel for the parties and finding no merits, the same was declined vide order dated 11.09.2025. Aggrieved by the same, petitioner is before this Court by way of filing the present petition.

3. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that admittedly the petitioner was behind the bars at the time of the alleged occurrence of the present case. He submits that the occurrence in the present case has taken place on 20.01.2025 and on that date, the petitioner was behind the bars in FIR No.548/2024. He contends that neither the petitioner is named in the FIR nor any overt act has been attributed to him. However, during investigation, the petitioner has been arrayed as an accused on the basis of disclosure statement of co-accused, namely, Madan @ Bachhi wherein it was alleged that the petitioner was part of the conspiracy along with the co-accused. He submits that once the petitioner was admittedly behind the bars, disclosure statement made by co-accused has no relevance. He submits that even otherwise, the



disclosure statement of the co-accused is not even an admissible evidence. He submits that evidently, as per the case of the prosecution, the fatal injuries have been attributed to Madan @ Bachhi. He submits that the petitioner was arrested in the present case on the basis of production warrants and he is behind the bars since 07.05.2025. He submits that investigation is complete, challan has been presented, charges have been framed however, out of 33 prosecution witnesses, none has been examined till date. He thus, submits that in the facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. Status report by way of affidavit of Mr. Ravinder Singh, HPS Deputy Superintendent of Police, Hansi, District Hansi, filed by learned State counsel, is taken on record.

5. Learned State counsel vehemently opposes the submissions made by learned counsel for the petitioner. He submits that the complicity of the petitioner was established during investigation. He submits that the petitioner is a habitual offender who is involved in 14 other cases. He, on instructions, submits that though the charges have been framed however, out of 33 prosecution witnesses, none has been examined till date. He has placed on record the custody certificate of the petitioner.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the occurrence in the present case has taken place on 20.01.2025. Admittedly, the petitioner was behind the bars on the date of occurrence in FIR No.548/2024 and he has been arrayed as an accused on the basis of disclosure statement of co-accused, namely, Madan @ Bachhi. Custody certificate filed by the State would show that the petitioner has undergone incarceration of 10 months and 15 days as on 22.03.2026. It



further reflects that though the petitioner is involved in 14 other cases, in 10 cases, he is on bail and in 01 case, he has been acquitted.

7. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

8. If the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in the present case.

23.03.2026
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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