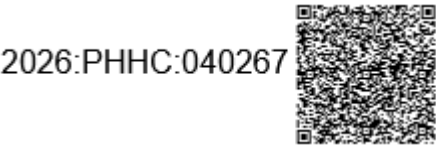


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH



1. CRM-M-61758-2025 (O&M)

Ankit

... Petitioner

Vs.

State of Haryana

... Respondent

2. CRM-M-8622-2026 (O&M)

Rani

... Petitioner

Vs.

State of Haryana

... Respondent

1.	The date when the judgment is reserved	11.03.2026
2.	The date when the judgment is pronounced	16.03.2026
3.	The date when the judgment is uploaded on the website	16.03.2026
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. Parvesh Jaglan, Advocate for the petitioner,
in CRM-M-61758-2025.

Mr. Naveen Jaglan, Advocate for the petitioner,
in CRM-M-8622-2026.

Ms. Himani Arora, DAG, Haryana.

...

Manisha Batra, J. (Oral).

1. This order shall dispose of **CRM-M-61758-2025 (Ankit Vs. State of Haryana)** and **CRM-M-8622-2026 (Rani Vs. State of Haryana)** as both these petitions have been filed by the petitioner(s) seeking benefit of regular bail in case arising out of FIR No.149, dated 02.06.2023, registered under Sections 302, 212 and 34 IPC and Section 25 of the Arms Act, at Police Station Civil Lines, District Jind.

2. The aforementioned FIR was registered on the basis of statement recorded by complainant – Krishan on 02.06.2023, alleging therein that he along with his nephew Anish had gone to the house of one Raghbir, resident of Shiv Colony, Jind for the purpose of having conversation regarding partition of their land. They had left the house of Raghbir after sometime. Sahil S/o Surendra was the pillion rider of the bike whereas Anish was riding on his bike separately. When they reached near the main gate of Bus Stand, Jind, suddenly, three youths riding on a motorbike started following Anish. Two of them then took out pistols and fired shots towards Anish, due to which the latter had fallen down along with his vehicle. The complainant identified one of them as Jeetu. The assailants had fled on their motorbike bearing registration No.HR-31-Q-2438. The complainant alleged that some days back, Rajendra father of Jeetu had come to house of Anish and had extended threats to kill Anish. He also informed that injured Anish was rushed to the hospital but had succumbed to the firearm injuries sustained by him.

3. After registration of the FIR, investigation proceedings were initiated. Post mortem examination of the dead body of the victim and

inquest proceedings were conducted. On 02.06.2023, Sahil, who was the eye witness to the occurrence and was accompanied by the complainant at the relevant time, recorded his statement to the effect that he had friendship with one Rani w/o Deepak through Instagram and used to converse frequently with her. He along with victim Anish had gone to meet her on some occasions. He informed that on 01.06.2023, accused Rani had sent a message on Instagram asking him to meet her and he had informed that he along with victim – Anish would come to meet her after attending a Court date on 02.06.2023. He recorded that on 02.06.2023, accused Rani sent a message that she has reached at old Bus Stand and then he along with victim-Anish had gone there. They were on separate motorbikes. On his asking, victim-Anish had gone towards Rani to pick her up and within his sight, accused Sandeep along with his two companions fired shots with pistols upon the victim-Anish.

4. On 03.06.2023, the complainant recorded his supplementary statement to the effect that his nephew Anish and Sahil S/o Surendra were in touch with accused Rani and it was Rani, who had hatched a plan with accused Sandeep in pursuance of which, Anish and Sahil were called at village Bibipur and the victim was killed by accused Sandeep and his accomplices. Accused Rani was nominated as such. She was joined into investigation on 04.06.2023 and was formally arrested. She suffered disclosure statement to the effect that she was in love with accused Sandeep, who told her to marry with her only after taking revenge from victim-Anish and Sahil, who had killed his friend Sonu. She disclosed that on asking of Sandeep, she had started chatting with Sahil and hatched a conspiracy to kill them. She further

disclosed that it was on her asking that the victim-Anish had come on his motorbike when he was killed by accused Sandeep and his two accomplices. On 06.06.2023, the eye witness, Sahil recorded his supplementary statement on the basis of which the petitioner-Ankit was nominated as additional accused. He was arrested on 19.03.2024. Investigation now stands completed.

5. Learned counsel for the petitioner-Ankit in CRM-M-61758-2025 has argued that he was not named in the FIR and had been nominated on the basis of supplementary statement recorded by the eye witness, namely, Sahil after 04 days of the incident. This statement is a result of due deliberations and concoctions. The disclosure statement allegedly suffered by co-accused Sandeep cannot be considered to be admissible in evidence. He is in custody since long. A false recovery has been planted upon him. The eye witness Sahil has neither named nor identified him at any stage of investigation proceedings. No specific overt act had been attributed to him. No useful purpose would be served by detaining him in custody anymore. It is, therefore, argued that he deserves to be released on bail.

6. Learned counsel for the petitioner-Rani in CRM-M-8622-2026 has argued that she was not named in the FIR and has been nominated on the basis of supplementary statement recorded by the eye witness Sahil on 02.06.2023. This statement is a result of due deliberations and concoctions. She had no hand in murder of the victim. Complainant and eye witness Sahil had firstly named Jeetu as the assailant but retracting from his previous statement, Sahil had implicated her in this case. The allegations against her is that she hatched a conspiracy with the co-accused to eliminate the victim

and PW Sahil but there is no evidence of hatching a conspiracy with them. She is in custody for a period of 02 years and 09 months. She has a 07 years old daughter, who is living with her parents. Further incarceration of the petitioner would not serve any useful purpose. The trial will take considerable time to conclude as only 01 out of 44 prosecution witnesses, has been examined so far. Her antecedents are clean. It is, therefore, urged that she deserves to be released on bail.

7. Per contra, learned State counsel has argued that the allegations against the petitioners are serious in nature as the petitioner-Rani was a part of the conspiracy hatched with accused Sandeep to eliminate not only the victim but eye witness Sahil also and it was on her asking that the victim Anish and Sahil had gone to the place of occurrence. Her active participation in the commission of offence of murder of the victim stands *prima facie* established. So far as the petitioner-Ankit is concerned, he was one of the assailants. The weapon used by him at the time of occurrence had been got recovered from him in some other case registered with Hisar Police. There are chances of their absconding, if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

8. This Court has heard the rival submissions made by learned counsel for the parties.

9. The victim-Anish had been murdered on 02.06.2023 in the broad day light when he had reached at Bus Stand, Jind on his motorbike. As per the allegations in the FIR, the assailants were three in number, one of whom was Jeetu. The above said Jeetu was, however, found to be innocent subsequently and had been exonerated. The eye witness Sahil had recorded

his supplementary statement as per which petitioner-Rani had called him at the bus stand on the fateful day and he had asked the victim-Anish to pick up her from the same. This witness in his statement recorded under Section 161 Cr.P.C. also disclosed that he had seen accused Rani present at the spot and after the victim had been shot dead, both of them had taken him for treatment in an auto rickshaw. The presence of accused Rani at the spot stands *prima facie* established. Though, there is no direct evidence of her hatching a conspiracy with the co-accused and any definite conclusion in this regard can be drawn only after thorough assessment of the evidence to be produced during trial, however, the allegations show the *prima facie* complicity in the crime and the same are serious in nature. So far as the petitioner – Ankit is concerned, he was also named by eye witness Sahil in his supplementary statement recorded on 06.06.2023 and who disclosed that the victim had been shot at by accused Sandeep, petitioner – Ankit and one of their accomplices in pursuance of a conspiracy hatched with petitioner – Rani. The registration number of the vehicle which was used by the assailants was mentioned in the FIR and it is the same vehicle which has been got recovered at the instance of petitioner – Ankit. The allegations as such *prima facie* establish the active participation of petitioner – Ankit in the commission of murder of the victim as well. Undoubtedly, the petitioners have remained in custody for a period of more than 02 year and 09 months and trial is likely to take time to conclude since only 01 prosecution witness has been examined so far. However, the well settled proposition of law is that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not

sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to 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)*.

10. Keeping in view the gravity of the allegations, the quantum of sentence for which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, this Court of the considered opinion that the petitions do not deserve to be allowed. Accordingly, the same are dismissed.

11. Since the main petitions have been dismissed, pending application, if any, is rendered infructuous.

16.03.2026

harjeet

(MANISHA BATRA)
JUDGE

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