

2026:PHHC:040723



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

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Date of decision: 16.03.2026

CRM-M-62484-2025

SANDEEP @ DOCTOR

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondents

CRM-M-62555-2025

AKASHAY RAWAL @ KULDEEP

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Raghav Narayan, Advocate and
Ms. Shiv Jyoti Sharma, Advocate for the petitioner(s).

Mr. Paras Talwar, Senior DAG, Haryana.

Mr. Samay Sandhawalia, Advocate and
Mr. Divyansh Som Garg, Advocate for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

Both these petition seeking regular bail in case bearing FIR No.

298 dated 28.07.2023 registered under Sections 302, 411, 476, 149, 148 and

120-B of the Indian Penal Code, 1860 and Section 25(1)(A) of the Arms Act, 1959 at Police Station Furrukh Nagar, District Gurugram having been filed by different accused, are being decided by a common order.

2. Brief reference to the facts is, however, being made from CRM-M-62484-2025 titled as “*Sandeep @ Doctor versus State of Haryana*”.

3. Succinctly stated, the facts leading to the registration of the present FIR are that the same was recorded on the basis of the statement made by the complainant Narender Singh son of Kartar Singh, a resident of Subhash Nagar near Shiv Mandir, Jhajjar, who stated that he was a retired personnel of the Indian Army. According to the complainant, on 28.07.2023 at about 06:00–06:15 p.m., while he was present at his residence, he received information that his son-in-law, Prashant Malik, had been shot by unknown persons. Upon receiving the said information, the complainant, along with his acquaintances, immediately proceeded towards the spot near village Harinagar Ima, District Gurugram, from where his injured son-in-law had already been taken to the hospital. Upon making inquiries, the complainant came to know that his son-in-law Prashant Malik son of Kanwar Singh, resident of Model Town, Jhajjar, who was working as an Assistant Professor at Global College, Kheda, Farukhnagar, had gone to his place of employment earlier that day on 28.07.2023 on his motorcycle bearing registration No. HR-14K-6209. It was further stated that while he was returning home from his duty, his colleague Kusum Lata, who was also working as a professor in the same college, was accompanying him on the motorcycle. It was alleged that when both of them were passing through the road between village Harinagar Ima and village Yakubpur, certain unknown persons intercepted them and

opened fire, as a result of which Prashant Malik sustained fatal injuries and died. On the basis of the aforesaid allegations, the complainant sought legal action against the unknown assailants, whereupon the present FIR came to be registered.

4. Learned Counsel appearing on behalf of the petitioner contends that as per the case of the prosecution, Prashant Malik, the son-in-law of the complainant, was shot dead in the occurrence which allegedly took place on 28.07.2023. It is further contended that during the course of investigation, the police nominated a total of six persons as accused in the present case, while the petitioner Sandeep @ Doctor (petitioner in CRM-M-62484-2025) was travelling in a car along with co-accused Sahil, Sandeep and Sanjeev, whereas the other petitioner Akshay Rawal @ Kuldeep (petitioner in CRM-M-62555-2025) was travelling on a motorcycle along with Surender Kumar, who has been described as the main assailant in the incident.

5. Learned counsel further submits that another individual, namely Anil, has also been nominated as an accused in the present case. It is submitted that the said Anil allegedly supplied two country-made pistols to Surender Kumar. It is further submitted that the motive for the incident is primarily attributed to Surender Kumar, as he suspected the deceased Prashant of having an illicit relationship with his sister-in-law. The said relationship was unacceptable to the assailant Surender Kumar thus resulting in the incident. It is submitted that as per the case set up by the prosecution, while Surender Kumar kept one weapon with himself, he allegedly handed over the second weapon to the petitioner with the instruction that he should fire upon the deceased in the event Surender Kumar failed to do so.

6. Learned counsel further submits that, so far as the other accused persons, namely Sanjeev and Sahil, are concerned, they have been attributed the role of co-passengers in the car which, according to the prosecution, was being used during the occurrence and Akshay Rawal @ Kuldeep (petitioner in CRM-M-62555-2025) is stated to be driving the motorcycle on which Surender Kumar was seated as a pillion rider and fired the fatal shots at the deceased Prashant. Counsel further submits that one of the weapons had allegedly been handed over by Surender Kumar to the present petitioner with the alleged instruction to fire at the deceased if Surender Kumar failed to do so. However, it is contended that the said weapon has not been recovered from the possession of the petitioner.

7. It is further submitted that a disclosure statement was recorded during the course of investigation, wherein it was stated that the petitioner had handed back the weapon to Surender Kumar and recovery of both the weapon used in the occurrence has ultimately been effected from Surender Kumar. Learned counsel further submits that the petitioners have clean criminal antecedents and have already undergone actual custody of more than two and a half years in the present case. It is contended that, apart from the disclosure statement recorded during the course of investigation, there is no other evidence that would relate the petitioners with the commission of the offence in any manner whatsoever. It is further argued that out of total 45 witnesses cited by the prosecution, only 24 have been examined and 21 witnesses are yet to be examined.

8. Counsel for the respondent-State as well as the complainant contend that earlier prior to the incident, the Call Detail Records (CDR) and

location data of the petitioner(s) were found to be in proximity to that of the main assailant, namely Surender Kumar. It is contended that such circumstances, when read together with the other material collected during the course of investigation, indicate that the petitioner(s) were in communication with and in the company of the main assailant, thereby suggesting their knowledge of and participation in the conspiracy leading to the commission of the offence. It is, however, not disputed by Counsel for the parties that the petitioner(s) have clean antecedents and that no other recovery has been effected from petitioner Sandeep @ Doctor, whereas only the motorcycle allegedly used in the occurrence has been recovered from petitioner Akshay Rawal @ Kuldeep. They, however, do not dispute that after the firing incident, the main accused Surender Kumar did not flee from the spot on the said motorcycle, and that the petitioner Akshay Rawal @ Kuldeep is stated to have left the place alone on the motorcycle. The period of custody already undergone by the petitioner(s), as well as the present stage of the trial, have also not been disputed by the State or the complainant.

9. Having heard learned counsel appearing on behalf of the respective parties and taking into consideration the nature of allegations levelled against the petitioner(s), the period of custody already undergone by them, their clean criminal antecedents, the absence of recovery from petitioner-Sandeep @ Doctor as well as that the case against the petitioner(s) is based on circumstantial evidence, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

10. The instant petitions are allowed and the petitioner are ordered to be released on regular bail on their furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

11. It is made clear that the petitioners shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

12. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

MARCH 16, 2026

Vishal Sharma

**(VINOD S. BHARDWAJ)
JUDGE**

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