



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

112

Date of Decision: 08.04.2026.

(1) CRM-M-64052-2025

Parshant @ Babu

....Petitioner.

VERSUS

State of Haryana

....Respondent.

WITH

(2) CRM-M-66222-2025

Rahul

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sumit Sangwan, Advocate
for the petitioner (in CRM-M-64052-2025).

Mr. Ravinder Phogat, Advocate
for the petitioner (in CRM-M-66222-2025).

Mr. Parveen Kumar, Additional Advocate General, Haryana.

SANJAY VASHISTH, J. (Oral)

Petitioner-Parshant @ Babu (in CRM-M-64052-2025) and
petitioner-Rahul (in CRM-M-66222-2025), have filed the aforementioned two
petitions under Section 483 BNSS, 2023, seeking regular bail in case FIR
No.0135 dated 29.05.2024, under Sections 148, 149, 302, 307, 323 and 506
IPC (Section 120-B IPC was added later on), registered at Police Station
Dadri City, District Charkhi Dadri.

2. There is an eyewitness account, namely complainant-Rahul, who himself sustained injuries in the incident and has already deposed before the learned trial court through his statement dated 18.03.2025 (Annexure P-7).
3. Learned counsel for the petitioner(s) refer to the examination-in-chief recorded from the said eyewitness, which reads as follows:

“Stated that I am the resident of aforesaid address and pursuing ITI as student. On 28.05.2024, I alongwith Sunil Saini alias Akash, Mohit, Jayant, Mohit and 2-3 other persons, were celebrating the birthday of Jayany at Kadian Guest House in front of Bus Stand, Charkhi Dadri. At about 10:30 P.M we were eating food in a room, then about a sudden four persons named Sunny alias Billa, Munder, Shubham and Rahul alias Mulla Jaat initially entered in the room and they started beating me and Akash. Rahul alias Mulla Jaat stabbed with a knife (Chhuri) at the left side of the chest of Akash (since deceased). Then Akash fell down and then Shubham stabbed with a knife (Chhuri) at the left back side of Akash. I tried to rescue Akash during which the knife (Chhuri) also injured my left hand smallest finger. At this stage, the witness shown the mark sustained by the above said injury. Then Sunny alias Billa hit my head with a rod and Munder hit me with a rod (Iron Pipe) at left thigh. Then I became I little bit unconscious and they dragged me out from the room. I was unconscious and do not recollect that who inflicted further injuries upon me. I was admitted in PGIMS Rohtak where police met me and recorded my statement on 29.05.2024. (At this stage learned PP for the State requested that witness is suppressing the truth and not disclosing the true facts and requested to declare the witness hostile and he may be allowed to cross-examine the Witness. Request allowed”

3. Learned counsel for the petitioner(s), further argue that petitioner-Parshant @ Babu was not even named in the FIR and no specific

role is assigned to him thereafter, whereas petitioner-Rahul son of Ram Kumar @ Rama, though was named in the FIR, but there is no allegation of causing any injury by him. Counsel for the petitioner(s) further submit that the entire incident, which took place in a room of hotel, was recorded in a video camera installed there. However, as per the CCTV footage, the prosecution has been unable to establish the petitioners' presence at the scene. It is further submitted that petitioner(s) are inside jail for more than 01 year and 09 months, but nothing was recovered from their possession. Additionally, there is no call details record or any other evidence, remotely suggesting that the petitioners are conspirator in the murder.

4. Counsel confidently refer the statement of the eyewitness and states that even the eyewitness, whose statement has been recorded before the Court, has not named the petitioner(s) or raised any suspicion in any manner, or that any kind of enmity between the petitioner(s) and the deceased, was existing.

5. Counsel also point out that one of the accused, namely Rahul s/o Satbir, whose presence was observed in the CCTV footage, has already been granted bail by trial Court primarily on the ground that he was not involved in any manner. Further, co-accused namely Mandeep @ Kaka and Ritik @ Kaku have also been extended the concession of bail by this Court, vide order dated 01.10.2025 passed in CRM-M-32163-2025 (Annexure P-5) and order dated 04.11.2025 passed in CRM-M-59752-2025 (Annexure P-6).

Relying on these submissions, and considering the lack of substantial evidence against the petitioner(s) as well as the period of incarceration already undergone, prayer is made for the grant of bail.

6. On the other hand, learned State counsel has filed reply by way

of affidavit of Dheeraj Kumar, HPS DSP/HQ, Charkhi Dadri on behalf of respondent/ State in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper book.

Learned State counsel, while referring to paragraph No.7 of the reply, submits that the petitioner(s) actively participated in the crime as a member of an unlawful assembly.

Learned State counsel further submits that apart from the present case, petitioner-Rahul is accused in two other cases also i.e. FIR No.66 dated 26.03.2024, registered under Section 25-54-59 of Arms Act, Police Station City Dadri and FIR No.77 dated 04.04.2024 under Sections 148, 149, 323, 341 and 506 IPC, Police Station City Dadri, and he is on bail in the said cases, whereas petitioner-Parshant @ Babu is not involved in any other criminal case.

7. This Court has perused the contents of the petitions and the appended documents thereto, in addition to the status report, and has carefully considered the submissions made by the respective counsel. This Court is surprised to observe that the reply filed by the learned State counsel unnecessarily includes details regarding the registration of other cases against the co-accused, seemingly to create a serious impression on the Court, despite there being no such necessity.

8. It is also admitted position that petitioner(s) could not be seen in the CCTV footage of the place of occurrence, nor the eyewitness named or raised any suspicion against them. Furthermore, petitioner(s) are inside jail for a period more than 01 year and 09 months, without there being any substantive material, having been recovered from their possession or any evidence linking them directly to the commission of the alleged offence.

Considering totality of circumstances and the prolonged period of incarceration already undergone, this Court finds merit in the prayer of the petitioner.

Consequently, prayer made in the present petitions is allowed. Petitioner-Prashant @ Babu and petitioner-Rahul are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Any of the discussion done and recorded hereabove, 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.

10. **Accordingly, both the petitions stand disposed of.**

11. Photocopy of this order be placed on the connected file.

(SANJAY VASHISTH)
JUDGE

08.04.2026

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