



CRM-M-67490-2025

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

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**CRM-M-67490-2025
Decided on :04.02.2026**

Lakshay

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rakesh Dhiman, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS, seeking regular bail in FIR No. 216 dated 07.05.2019, under Sections 148, 149, 302, 120-B IPC and Section 25 of Arms Act, registered at Police Station Sampla, Rohtak, District Rohtak.

2. Incident in question took place in the intervening night of 07.05.2019 and 08.05.2019, when the complainant, Vinod, received information that his younger brother, namely Pramod @ Pawan, had been shot dead. On reaching near Ismaila Farm on Giji Road, the complainant noticed that his brother was lying face down on the unpaved road. Mentioning the pendency of a civil case, the complainant raised suspicion against Gindodi w/o Balbir, Kali @ Poonam d/o Balbir, Gallu @ Praveen s/o Balbir, and Ajay s/o Indira.

2. Learned counsel for the petitioner argues that the name of the petitioner does not appear in the FIR, nor is any suspicion raised

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against him. Counsel further submits that the named accused Ajay has already been released on bail by the Court of Sessions, Rohtak, vide order dated 31.03.2020.

3. Learned counsel for the petitioner also contends that petitioner has no connection with the other co-accused or the victim party, as he is a resident of Delhi.

4. It is further argued that on 10.05.2019, accused namely Gindodi and Ajay were arrested, and thereafter, co-accused Naveen @ Gullu and Vishal were arrested, from whom the alleged weapon used in the incident, as well as cartridges used in the commission of the offence, were recovered.

5. Subsequently, through the disclosure statements of the already arrested accused, namely Naveen @ Gullu and Vishal, the names of other co-accused, namely Lakshay s/o Jai Kanwar, Bajrang s/o Jai Bhagwan, Lakshay (petitioner herein) s/o Vinod, Ibrahim @ Imran s/o Akbar, and Nitesh @ Dhandhu, came to be involved in the case as accused.

6. Additionally, learned counsel for the petitioner submits that petitioner is in custody for a period of last six years and five months. Out of a total of 29 prosecution witnesses, only two have been examined till date, despite there being no fault on the part of the petitioner. Learned counsel, therefore, prays for the grant of regular bail.



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7. On the other hand, Learned State counsel has filed reply by way of affidavit of Rakesh Kumar, HPS, Deputy Superintendent of Police, Sampla, District Rohtak in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper book.

8. Learned State counsel submits that, as per the FSL report, the recovered country-made pistol and the bullet fired upon the deceased were found to be matching, confirming that the recovered pistol is the same weapon used in the crime. Learned State counsel further argues that petitioner is involved in several other cases, as detailed in paragraph No. 9 of the reply, and is thus a habitual offender. Learned State counsel, therefore, prays for the dismissal of the present petition.

10. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto, including the status report.

11. Undoubtedly, the petitioner is shown to be an accused in the following six cases:

“(a) FIR No.155 dated 23/1/2019 U/s 392, 411 IPC P.S.- Mundka, Delhi. In the said case the petitioner has been acquitted vide order dated 29/9/2020.

(b) FIR No. 46 dated 20/2/2019 U/s 392, 357, 394, 452 IPC & 25, 54, 59 Arms Act P.S. -Vijay Vihar, Delhi. In the said case untrace report has been filed on 12/5/2022.

(c) FIR No.294 dated 4/6/2019 U/s 307 IPC & 25, 54, 59 Arms Act P.S.-Narela, Delhi. The said case is fixed for prosecution evidence for 4/2/2026.



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(d) FIR No.297 dated 27/5/2019 U/s 379, 511, 186, 353, 307 IPC P.S.-Paschim Vihar, Delhi. In the said case the petitioner has been acquitted vide order dated 4/1/2025.

(e) FIR No.260 dated 11/6/2019 U/s 186, 353 IPC 25, 54, 59 Arms Act P.S.-Bawana, Delhi. In the said case the petitioner is on bail and said case is fixed for 22/5/2026.

(f) FIR No.237 dated 31/6/2019 U/s 302, 34 IPC & 25, 54, 59 Arms Act P.S.-Bawana, Delhi. In the said case the petitioner is in custody and said case is fixed for 13/04/2026.”

In two of the aforementioned cases, petitioner has already been acquitted. Moreover, in some of the cases, evidence is still under trial. Broadly speaking, prosecution has not cited any instance where the petitioner has been convicted till date. However, it is clear that petitioner, being involved in several cases, was already known to the members of the police team. Paragraph No. 10 of the reply reads as under:

“10. That the FSL report dated 10/12/2019 has been received from FSL Madhuban and as per FSL report the recovered country made pistol (mark W3) found in working order and the bullet marked BC/9 has been fired from the country made pistol marked W/3 (chambered for 7.65 mm) and not from any other firearm even of same make and bore/calibre, because every firearm has got its own individual characteristics. The FSL report is attached herewith as Annexure-R3.”

12. Moreover, it is noticed that petitioner’s name has been implicated in the case on the basis of disclosure statements, whereas the accused named in the FIR, namely Ajay, has already been released on

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bail. Further, it is observed that the weapon which, as per the prosecution, matches the recovered bullet was recovered from his co-accused Naveen @ Gullu and Vishal (as mentioned in the order dated 21.07.2025).

Considering the totality of circumstances mentioned above, including the total period of incarceration and the stage of trial, this Court finds merit in the prayer for bail. Consequently, 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/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

13. 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.

14. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

15. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

04.02.2026***Rashmi****Whether speaking/reasoned:* Yes/No*Whether Reportable:* Yes/No