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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.67822 of 2025
Date of Decision: 02.02.2026

Dipender Pal Singh @ Kirat ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sahil Choudhary, Advocate and
Mr. Krishan Singh, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
376	14.06.2025	Shahabad, District Kurukshetra	103(1), 3(5), 61(2), 111(2), 111(3), 111(5), 238 and 253 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 and 27 of Arms Act, 1959

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on the basis of complaint submitted by the complainant Prince alleging that he

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was working as a driver with the liquor contractor Shantanu from the last one month. On the evening of 13.06.2025, he along with Aniket, another employee of the liquor vend and Shantanu was going towards Shahbad. He had stopped his vehicle at Meena Market Shahbad on asking of Shantanu. The latter had alighted from the vehicle and was proceeding towards a shop to buy cigarette, when suddenly two youths reached from behind on a motorbike and one of them started firing shots upon him. Seeing them, the complainant hit both of them with his vehicle due to which the assailants also sustained injuries and fled while leaving their motorbike at the spot. The injured Shantanu was rushed to hospital who succumbed to the injuries and died. After registration of FIR, investigation proceedings were initiated.

3. As per the further allegations, on 14.06.2025, a post was posted on Instagram App of one Noni Rana gang thereby taking responsibility for murder of the victim Shantanu. The accused Shubham Khurana, Baljinder, Sujal, Abhishek Tukral, Prabhjot, Ikshan Mehta, Mohit Kumar and Deepender Pal @ Kirat i.e. the present petitioner were arrested. The petitioner was arrested on 26.06.2025. Some more accused were also arrested. On interrogation, the petitioner suffered disclosure statement to the effect that accused Badalheer who was a member of gang of Noni Rana gangster was his school time friend who had disclosed to him that he along with other members of his gang had hatched a conspiracy to kill liquor contractor Shantanu and to execute that conspiracy, they had to change the colour of a stolen motorbike and to arrange some fake number plates for the

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same and had asked him to get the same done. He further disclosed that on 03.06.2025, he had contacted the co-accused Mohit Kumar who used to run a shop of preparing number plates and doing lamination work on motorbikes and on his asking, Mohit Kumar had agreed to do the same and had then changed the colour of stolen motorbike and had also prepared fake number plates which were got delivered to some persons sent by accused Badalheer. On the basis of his disclosure statement, the above named Mohit Kumar was nominated as additional accused and was arrested. The call detail record of the mobile phone of the petitioner and Mohit Kumar were also collected which showed that from 03.06.2025 to 04.06.2025, nine calls had been exchanged between the petitioner and the co-accused Mohit Kumar. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated only on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He is in custody since 26.06.2025. No recovery has been effected from him. He is on bail in another case registered against him. There is no material on record to connect him with the commission of offences punishable under Sections 103 and 111(5) of BNS. He was not present at the time of occurrence. His further incarceration would not serve any useful purpose. There are no chances of his absconding as he has a permanent abode. It is, thus, argued that he deserves to be released on bail.

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hand, while relying on the contents of the status report has vehemently argued that there are serious and specific allegations against the petitioner who in pursuance of a conspiracy hatched by the members of party of gangster Noni Rana to extort money from liquor contractor and to eliminate him, had facilitated changing colour of a stolen motorbike and for arranging to affix false and fabricated number plates on the same so that such motorcycle could be used for the purpose of committing murder of the victim and had, therefore, facilitated the commission of offence of murder by being a member of an organized crime. He does not have clean antecedents. Accused Badalheer, Anil Kumar and Surya Partap alias Noni Rana are yet to be arrested. There are chances of his absconding or intimidating the material witnesses, if extended benefit of bail. It is, hence, argued that petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have been member of a gang consisting of co-accused who are part of an organized crime syndicate. As per the allegations, in connivance with the co-accused, the petitioner through the co-accused Mohit Kumar had facilitated the change of a colour of motorbike and preparation and affixation of false number plates on the same so that such motorbike could be used by the other co-accused for committing murder of the victim. It is only on thorough assessment of the evidence to be produced on record that any definite conclusion can be drawn as to whether the ingredients for commission of offence punishable under different

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provisions of Section 111 of BNS are attracted against the petitioner or not? It is not the case of the prosecution that he was present at the place of occurrence or had committed any specific overt act at the time of commission of offence of murder of the victim. He is not required for further investigation. The trial has commenced. The investigation has concluded. However, even charges have not been framed and therefore, the conclusion of trial after recording statements of 80 witnesses who are cited in this case in near future, are bleak. In the given circumstances, no fruitful purpose is going to be served by keeping the petitioner in custody any more. His involvement in another case under the provisions of Arms Act cannot be considered to be a reason for denying benefit of bail to him. In view of this discussion, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

02.02.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No