

2026.PHHC.032806



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

123+124

1. CRM-M-70159-2025

Rajpal @ Raajpaal

...Petitioner

Versus

State of Haryana

...Respondent

2. CRM-M-69746-2025

Anil

...Petitioner

Versus

State of Haryana

...Respondent

Date of decision: 27<sup>th</sup> February, 2026

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Parminder Singh, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

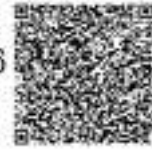
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MANISHA BATRA, J (ORAL):-

This common order shall dispose of above mentioned two petitions for grant of regular bail as they are similar in nature and have arisen out of the same FIR, details of which are given as follows:-

| FIR No. | Dated      | Police Station             | Sections                                                                        |
|---------|------------|----------------------------|---------------------------------------------------------------------------------|
| 25      | 13.01.2025 | Gharaunda, District Karnal | 3(5), 304, 238(B) and 309(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') |

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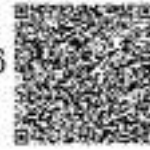


2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Munna Paswan alleging therein that he was working in Neelmani Company, village Barsat and was living in a rented accommodation with his friend Chhote Lal, who too was working in the same company. On 13.01.2025, Chhote Lal had received cash payment of Rs. 25,000/- from the company which was to be distributed amongst themselves. However, while they were on the way to their house and had reached in the field area, they were intercepted by three persons who by showing knives to them, forcibly took away the aforementioned amount of money, their cell phones and also extended threats to them.

3. After registration of FIR, investigation proceedings were initiated. During investigation and on the basis of a secret information, accused Parveen @ Kala, Anil @ Binder (petitioner in CRM-M-69746-2025) and Rajpal @ Rajpal (petitioner in CRM-M-70159-2025) were arrested. On interrogation, they suffered disclosure statements admitting their involvement in the crime. They got recovered the cell phones of the victims, currency notes of Rs. 1000/- and one knife. Offence under Section 238(B) of BNS was added. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. A false recovery has been planted upon them. In fact, the dispute was between the co-villagers and the same stands amicably settled. Both the complainant and Chhote Lal, had sworn affidavits

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in their favour. The petitioners have clean antecedents. They are not required for further investigation. Trial will take considerable time to conclude. Therefore, it is stressed that the petitioners deserve to be released on bail.

5. Reply and custody certificates have been filed by respondent-State. Learned State counsel has argued that there are serious and specific allegations against the petitioners. Recovery of the snatched articles were effected from them. There are chances of their absconding or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petitions do not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioners are in custody since 25.07.2025. Investigation stands concluded. Trial has not commenced so far since charges have not been framed. Though no relevance can be given to the affidavits shown to be sworn by the victims at this stage and the allegations also make out a prima facie case for subject offence as against the petitioners, however, the petitioners are in custody since 25.07.2025 i.e. for a period of more than seven months. Their further incarceration is not going to serve any fruitful purpose. It is well settled that pre-trial incarceration should not be a replica of post-conviction sentencing. Taking into consideration the above discussed facts, this Court is of the considered opinion that the petitions deserve to be allowed. Accordingly, the petitions are allowed and the petitioners are ordered to be released on bail,

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subject to their furnishing personal bonds and surety bonds by two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned. They shall not absent themselves on any date before the learned trial Court; they shall disclose their present as well as permanent addresses before the learned trial Court at the time of furnishing of bonds and shall also give copy of their Aadhar Card, PAN Card if any and details of their mobile phone number(s) to the learned trial Court and in case, any change in their addresses or mobile phone number(s) takes place, then they shall inform about the same to the learned trial Court in advance. They will not try to contact, induce or intimidate either the complainant or any other material witnesses during the pendency of the trial.

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

9. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

10. Photocopy of this order be placed on the file of connected case.

[MANISHA BATRA]  
JUDGE

27<sup>th</sup> February, 2026

|                |                               |   |          |
|----------------|-------------------------------|---|----------|
| Parveen Sharma | 1. Whether speaking/ reasoned | : | Yes / No |
|                | 2. Whether reportable         | : | Yes / No |