



226

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

**CRM-M No.70164 of 2025
Date of Decision: 28.01.2026**

Keshav @ Commando

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Aditya Sheoran, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.81, dated 16.04.2021, under Sections 379-B, 34 of IPC and Section 25 of Arms Act, registered at Police Station Chhaina, District Faridabad.

2. Succinctly the facts of the case are that FIR in the present case got registered on the statement of complainant, namely, Rajesh son of Udayveer. It was alleged that on 16.04.2021, the complainant was returning from his duty on his motorcycle and when he reached near Hanuman Temple, then 03 unknown persons came on the motorcycles. It was alleged that they way laid the complainant. A pistol type weapon was kept on his neck and they snatched his mobile, Rs.15,000/- cash from his



pocket as well as his motorcycle. Thus, request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner surfaced and thus, he was arrayed as an accused in the present case. The petitioner could not be arrested and thus, he was declared as proclaimed offender on 23.11.2023 and thereafter, he was arrested on 05.02.2025. The petitioner approached the Court of learned Additional Sessions Judge/Vacation Judge, Faridabad praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge/Vacation Judge, Faridabad, dismissed the bail application filed by the petitioner vide order dated 11.06.2025/09.09.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner has been named as an accused in the present case on the basis of disclosure statement of co-accused, namely, Charanjeet @ Chintu. However, the co-accused, namely, Charanjeet @ Chintu and other co-accused, namely, Rahul @ Bengal have already been acquitted by the learned trial Court vide order dated 20.12.2022. He has submitted that the complainant, during his trial, qua the co-accused, had appeared and had not identified the accused. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 05.02.2025 and the co-accused have already been acquitted. He has submitted that though the petitioner is involved in 05 other cases, however, he is on bail in those



cases. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that complicity of the petitioner has been surfaced during the investigation. He has submitted that however the Investigating Agencies were unable to arrest the petitioner and thus, he was declared as proclaimed offender on 23.11.2023 and thereafter, he was arrested on 05.02.2025. He has submitted that conduct of the petitioner itself shows that he does not deserves the concession of bail. He, on instructions, has submitted that out of total 17 prosecution witnesses, no witness has been examined so far. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was named in the present case on the basis of disclosure statement of co-accused, namely, Charanjeet @ Chintu. However, the petitioner was declared as proclaimed offender on 23.11.2023 and he was arrested later on 05.02.2025. As submitted before this Court by learned counsel for the petitioner that the co-accused, namely, Charanjeet @ Chintu and Rahul @ Bengal have already been acquitted by the learned trial Court vide order dated 20.12.2022. Custody certificate produced would show that the petitioner has suffered an incarceration of 11 months and 18 days as on 27.01.2026. It further reflects that the petitioner is involved in 05 other cases. Out of total 17



prosecution witnesses, no witness has been examined so far.

7. The veracity of the allegations and counter allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

8. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

10. However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

11. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

28.01.2026

rittu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(RAJESH BHARDWAJ)

JUDGE