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

**CRM-M No.72833 of 2025 (O&M)
Date of Decision: 08.04.2026**

Shamsher Singh @ Monu Rana

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Parth Aneja, Advocate for
Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J. (ORAL)

1. Present 4th petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.387, dated 10.11.2023, under Sections 328 IPC and Section 72-A of Excise Act (Sections 304 IPC deleted and Sections 120-B, 302, 201, 307 IPC added later on), registered at Police Station Chappar, District Yamuna Nagar.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Mohit Kumar. It was alleged that father of the complainant, namely, Jagmal, was doing the labour work with different masons in village Saran. It was alleged that father of complainant, namely, Jagmal, was addicted for consuming liquor and was a daily drunker. It was alleged that on 07.11.2023, his father drank



liquor and on the next date, i.e. on 08.11.2023, health of his father became deteriorated and complained of vomiting and after taking medicine, his father left for his job. On 09.11.2023, father of complainant, namely, Jagmal felt dizziness and his blood pressure increased, however, he had taken the medicines from the village doctor. On the same day, at about 04:30 P.M., because of the problem in breathing, his father got admitted in Civil Hospital, Mustafabad for treatment, from where, he was referred to MLGH, Yamuna Nagar and the doctor declared him dead. It was alleged that father of complainant, Jagmal, used to purchase the liquor from Raj Kumar @ Babli, Naresh Kumar @ Kubba, Rajesh Kumar and Radhe Sham, who used to sell liquor in village itself and his father died due to consuming poisonous liquor. Thus, the request was made to take legal action against all the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. The petitioner was arrested on 05.01.2024. The petitioner approached the Court of learned Additional Sessions Judge, Yamuna Nagar at Jagadhri praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Yamuna Nagar at Jagadhri declined the bail application filed by the petitioner vide order dated 09.04.2025. Being aggrieved, the petitioner earlier approached this Court thrice praying for the grant of bail by way of filing CRM-M-12769-2024, CRM-M-46912-2024 and CRM-M-25228-2025, however, the same were dismissed/allowed and disposed of vide orders dated 30.08.2024, 27.09.2024 and 19.08.2025, respectively. Hence being aggrieved, the petitioner is again before this Court praying for the grant of regular bail by



way of filing the present fourth petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He has submitted that neither the petitioner was named in the FIR nor any role has been attributed to him, however, he has been roped in the present case on the basis of disclosure statement of co-accused, namely, Ankit @ Mogli, which in itself is not even an admissible evidence. He has further submitted that petitioner is suffering from paralysis and he is totally bed ridden. He has further submitted that in connected petition bearing CRM-M-72979-2025, the petitioner was also granted the concession of regular bail by this Court vide order dated 16.03.2026. He has submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. This Court vide order dated 01.04.2026 directed the State to verify the contention raised by learned counsel for the petitioner regarding the medical condition of the petitioner.

5. Learned counsel for the State has produced a copy of medical report of the petitioner today in the Court, which is taken on record. Perusal of the report would show that the petitioner is suffering from **Paralysis Bilateral Lower Limb with Bowel and Bladder involvement with Chronic Bed sore over left gluteal region**. It further shows that the petitioner is bed ridden with catheter in situ since 2017 and the treatment is being provided to him as advised by Doctors at LNJP Hospital, Kurukshetra and PGIMER, Chandigarh.

6. Reply dated 11.03.2026 by way of an affidavit of Rajat Gulia,



HPS, Deputy Superintendent of Police, Yamuna Nagar-II on behalf of the respondent-State has already been filed by the learned State counsel in the Court, which is taken on record.

7. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. He, however, has endorsed the fact the petitioner is suffering from Paralysis and he is bed ridden in the jail. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

8. Heard.

9. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was suffering from Paralysis and he is totally bed ridden. Report in this regard has already been received from the Medical officer. Custody certificate produced would show that the petitioner has suffered an incarceration of 01 year and 09 months and 15 days as on 07.04.2026. It further reflects that the petitioner is involved in 18 other cases, however, in 5 of the cases, he has been acquitted, in 01 case, he has undergone the sentence, and in 11 cases, he is on bail.

10. The veracity of the 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. 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 medical report of the petitioner, 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.



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

12. Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

08.04.2026

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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No