

CRM-M-22161 of 2026(O&M)

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

2026:PHHC:093642



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Reserved on: 08.07.2026

Pronounced on:10.07.2026

Uploaded on:10.07.2026

Rohtash

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Kshitij Bharti, AAG Haryana.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case vide FIR No.225 dated 19.12.2024, under Sections 309(4), 351(2) of BNS and Section 25 of Arms Act at Police Station Nangal Chaudhri, District Mahendergarh, Haryana. Sections 317(2), 311, 238(a), 351(3) of BNS and Section 25(1)(a), 27, 29 of Arms Act were added during investigation. Sections 309(4), 351(2) BNS and Section 25 of Arms Act, were deleted. This is the second petition for regular bail. First petition was dismissed as not pressed on 20.02.2026.

2. Complainant Anup son of Satyadev reported to the police that he worked as Salesman in Sundaram Kisan Seva Kendra Petrol Pump. That day, at about 4:30 p.m. when he, Mukut son of Makhanlal, salesman were present inside a room and Lakshminarayan son of Rameshwar Dayal was also present in the petrol pump, four boys on two motor cycles came to the

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petrol pump carrying pistol like weapon. One out of them stood outside the room and fired in the air, while remaining three came inside. All the boys had muffled faces. They came inside and demanded cash, threatening to kill them. One boy out of them, put his hand into pocket of his pant and took Rs.56,000/-. Thereafter, all four of them went away. While leaving, one of them picked up a fired empty shell lying outside the salesman room. Legal action was prayed for.

3. Learned counsel for the petitioner submits that the petitioner was involved on disclosure statement of co-accused, which was not admissible in evidence. Other than that, there was no evidence collected against him by the police. Even learned Additional Sessions Judge, Narnaul, in his wisdom, had charge-sheeted petitioner only under Section 29 of Arms Act, which was punishable with maximum sentence of three years. Petitioner, was in custody for the last one year and trial being at initial stage, he deserved to be enlarged on regular bail.

4. Learned State counsel has filed status report in the form of affidavit of Bharat Bhushan, HPS Deputy Superintendent of Police, HQ Narnaul, District Mahendergarh and has opposed the prayer for bail. He however, did not dispute that name of petitioner-Rohtash figured in disclosure statement of co-accused and that the role attributed to him was that he had provided two country made pistol, 15 live cartridges and Rs.35,000/-, to co-accused Ajit @ Kalu which were used by him and his associates in several incidents including the present crime. The prayer for bail has been opposed on the ground that petitioner was involved in as many as 15 cases of serious nature and is a habitual offender.

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5. First petition of the petitioner for regular bail was dismissed as not pressed, on 20.02.2026. The period of custody undergone since then can be taken as substantial change in circumstances to entertain the second application for bail.

6. Although the evidentiary value of the disclosure statement on the basis of which petitioner has been involved in the present case, would be determined by learned Trial Court at the time of final decision, the fact remains that the only attribution to the petitioner is regarding supply of weapon of offence. Out of 15 cases mentioned in the status report, petitioner is shown to have been acquitted in 4 and is facing trial in rest 11 cases. He is in custody w.e.f. 05.07.2025. Since charges have been framed on 12.12.2025, it does not appear that trial will be decided by an early date. Considering the period of incarceration and all relevant facts and circumstances of the case, in view of settled principle of criminal jurisprudence that bail is the rule and jail an exception, petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

10.07.2026

reema

Whether speaking/reasoned : Yes

Whether reportable : No