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

CRM-M-14580-2026

Date of Decision: 14.05.2026

Ahsaan Rana

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sarfraj Hussain, Advocate, for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.254 dated 05.07.2022, registered under Sections 307, 34 IPC and Section 25(1-B)(a), 27(1) of Arms Act, 1959, at Police Station Badshahpur, District Gurugram.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Rajesh. It was alleged that on 04.07.2022, there was *Kuan Poojan* of son of Yogesh in our family in Ahir Chopal in which he alongwith his cousin Deepak Yadav were participating. At about 10.00 p.m., he came back to his house but Deepak Yadav remained at the venue. At about 12.15 a.m. on 05.07.2022, he received information that someone had shot Deepak Yadav and that he has been admitted in Artemis Hospital, Gurugram for treatment. He rushed to the hospital and met his brother who disclosed that he had an oral quarrel with one Ballu and two-three boys and due to this quarrel Ballu alongwith his accomplices fired upon his chest with the intention to kill him. It was suspected by the complainant and his Chacha (uncle) that Deepak Yadav was shot by Billu @ Pallu and two-three other accomplices. Thus, request was made to take legal action against the accused persons. On the registration of the FIR, the investigation commenced. CCTV footage has been obtained.



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The doctor declared the injured as fit to make the statement on 17.07.2022. On 17.07.2022 accused Shiv alias Bablu and Mohd. Wasik Ahmad were arrested. Their disclosure statements were recorded. In the disclosure statement of co-accused Mohd. Wasik Ahmad, name of present petitioner, Ahsaan Rana was surfaced. However, as the petitioner could not be arrested, he was declared as proclaimed offender vide order dated 11.01.2024. Thereafter, he was arrested in this case on 24.12.2025. The petitioner approached the Court of learned Additional Sessions Judge, Gurugram praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, learned Court dismissed the bail application filed by the petitioner vide order dated 03.02.2026. Hence, the petitioner is before this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that the FIR has been registered on the statement of Rajesh i.e. brother of the injured. He contends that neither the petitioner was named in the FIR, not any role has been attributed to him rather as per the allegations in the FIR, it was one Billu @ Pallu who fired at injured Deepak Yadav. He contends that during the petitioner was roped in the present case on the basis of the disclosure statement of co-accused Wasik Ahmed, however, Wasik Ahmed has already been released on bail after a custody of three months. It is submitted that as per the investigation, the Investigating Agency has concluded that it was Vivek Yadav who fired at the injured and not Billu @ Pallu. He contends that Vivek Yadav has also been granted anticipatory bail by this Court vide order dated 18.01.2023. It is



contended that thus, it is apparent that the implication of the petitioner is in clandestine manner, which is totally based on the disclosure statement of the co-accused, which even otherwise is not an admissible evidence. He, thus, has submitted that in the overall facts and circumstances, the petitioner deserves to be granted bail.

4. Status report by way of affidavit of Yashwant HPS, Assistant Commissioner of Police, Badshahpur filed in Court is taken on record.

Per contra, learned State counsel has vehemently controverted the submissions made by counsel for the petitioner. He submits that complicity of the petitioner surfaced during the investigation. On 17.07.2022, co-accused Wasik Ahmed was arrested and he made a disclosure statement about the petitioner. It is contended that as the petitioner evaded his arrest, hence, he was declared as proclaimed offender vide order dated 11.01.2024. However, thereafter, he has been arrested on 24.12.2025. He contends that the petitioner is a habitual offender and thus, he does not deserves the concession of bail. On instructions, he has submitted that out of total 33 prosecution witnesses, none has been examined till date. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that in the FIR, the allegation of firing is against Billu @ Pallu, however, during the investigation, it has been concluded by the Investigating Agency that it was Vivek Yadav, who fired at the injured. Admittedly, Vivek Yadav, has been granted anticipatory bail by this Court. Complicity of the petitioner was surfaced during the disclosure statement of co-accused Wasik Ahmed, who has also been granted bail. The petitioner though was declared proclaimed offender, however, he has been arrested on 24.12.2025 and since



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then he is behind the bars. The custody certificate would show that the petitioner has suffered incarceration of 04 months & 20 days as on 13.05.2026. It further shows that the petitioner is involved in 17 other cases, however, in 07 cases, he has undergone the sentence awarded to him, in 04 cases he has been acquitted and 03 cases, he is on bail. Out of 33 prosecution witnesses, no witness been examined.

6. 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. 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.

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

8. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

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

14.05.2026

sharmila

Whether Speaking/Reasoned :
Whether Reportable :

(RAJESH BHARDWAJ)
JUDGE

Yes/No
Yes/No