



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

228+110

**CRM-M-2385-2025 (O&M)
Decided on : 30.10.2025**

Harshit

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Kapil Gupta, Advocate
for the petitioner(s).

Mr. P.K. Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J. (Oral)**CRM-42851-2025**

I. This is an application filed u/s 528 of BNSS, 2023, for placing on record the copies of testimonies of the prosecution witnesses (Annexures A-1 to A-4, respectively) and copy of final order dated 31.07.2025 (Annexure A-5), passed by this Court in connected case.

II. Allowed as prayed for. Documents, Annexures A-1 to A-5 filed along with application are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

III. CRM stands disposed of.

CRM-M-2385-2025

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-



Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Harshit	157	29.07.2024	287, 62, 3(5), 308(2), 351(2), 111(2)B, 111(6) of BNS, 2023	Thanesar City	Kurukshetra

2. As per version of the FIR, which was got registered at the instance of complainant – Devansh Sharma, while he had gone to the Court, two girls, namely; Annu and Aarti, who works in his office, were sitting on reception informed that today at about 2:10 PM, two boys came to the office, who had wrapped saffron coloured cloth on their faces, loaded a pistol and tried to fire on the glass of the office, but the fire did not happen. Further, it has been got recorded by the complainant that CCTV cameras of the neighbourhood were checked, in which two accused could be noticed clearly, who were trying to fire shot with their pistol.

During investigation those two boys were identified as Amit and Arvind, both were co-accused of the present petitioner.

3. Learned counsel for the petitioner submits that material witnesses, i.e., Devansh Sharma, SI Naresh Kumar, SI Surender Kumar, have already been examined fully, and one Annu has also been examined partly, as witnesses No.1 to 4, respectively. Moreover, allegations required to be proved only by establishing the identity of the petitioner and other co-accused, and by explaining their roles in specific, through the CCTV footage, which allegedly was seen from the cameras installed in the neighbourhood area of the shop of the complainant.

Further submits that petitioner is inside jail since 05.09.2024, i.e., about 01 year and 02 months and his incarceration for any longer period is not there for any meaningful purpose to either side. Thus, he prays for



grant of concession of regular bail to the petitioner.

4. On the other hand, learned State counsel while vehemently opposes the prayer for bail, argues that petitioner is an habitual offender, as he found indulged in one more case, i.e., FIR No. 134, dated 11.07.2024, under Sections 308(2), 351(2), 111(2), 111(6) of BNS, 2023 and Sections 25-54-59 of Arms Act, registered at Police Station Thanesar City. Therefore, being a habitual offender, does not deserve the concession of bail.

5. In response, learned counsel for the petitioner submits that petitioner has already been granted bail in the aforesaid case [FIR No.134, dated 11.07.2024 (supra)] and charges are yet to be established in that case. Thus, till date, petitioner has not been convicted in any criminal offence.

6. Not only this, on being asked by the Court, learned State counsel submits that in the CCTV footage, petitioner has not been noticed as present on the spot, however, he also being one of the accomplice found to be actively participating in the incident in question.

7. Having heard learned counsel for the parties and perused the record, this Court refrains from commenting upon the factual matrix at this stage, as doing so may cause prejudice to either side. However, it cannot be ignored that the petitioner has been in custody for more than 01 year and 02 months, and the material witnesses, including the complainant and other key police officials, have already been examined. The petitioner is not a previous convict, and except for the other case in which he has already been granted bail, there is no involvement of petitioner in any other criminal activity. Considering the nature of allegations, stage of trial, and the period of custody already undergone, further detention of the petitioner for an



indefinite period would not serve any useful purpose. Accordingly, this Court deems it appropriate to consider the prayer for grant of regular bail.

8. Accordingly, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. Petition stands **disposed of**.
Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

October 30, 2025
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No