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

CRM-M-22081-2025

Date of decision: 18.11.2025

ARJUN ALIAS PHOOLA

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rajesh Lamba, Advocate with
Mr. Baljeet Beniwal, Advocate and
Mr. Abhinav Kaushik, Advocate for the petitioner.

Ms. Geeta Rani, AAG, Haryana.

RAJESH BHARDWAJ, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.396 dated 18.11.2024 under Sections 109(1) of BNS, 2023 and Sections 25, 27 (added later on) of Arms Act, 1959 registered at Police Station Sonipat City, District Sonipat.
2. Succinctly the facts of the case is that the FIR in the present case was lodged on the statement of Sandeep-complainant wherein it was alleged that on 18.11.2024 at about 06:30 PM, he and his wife Sunita were present at home. His brother-in-law, namely, Arjun alias Phoola (present petitioner) came in black color Scorpio. He fired a shot from the weapon he was carrying in his hand. He then came out on the roof and thereafter again fired shots with the intention to kill the complainant, one of which struck the glass on the first floor. After firing many shots, he escaped from there in his Scorpio car. Thereafter, he threatened the complainant over the phone. The request was made to take legal action against the petitioner. FIR was registered and investigation commenced. On

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completion of investigation, challan was presented and charge were framed. Petitioner was arrested on 19.11.2024. He approached the learned Additional Sessions Judge, Sonapat for grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Hisar declined the bail application vide order dated 10.03.2025. Aggrieved by the same, petitioner is before this Court praying for the grant of bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that both the parties are close relatives. He further submits that the FIR had been lodged due to mis-communication amongst the members of the family. It is submitted that it is a case of no injury as no one has been injured in the present case. He further submits that both the complainant and his wife had been examined before the trial Court as PW-5 and PW-6 and they have not supported the prosecution version of the case and were declared hostile. He further submits that false implication of the petitioner is evident and the petitioner is involved in one more case. He has submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. Reply by way of affidavit of Jeet Singh, HPS, Assistant Commissioner of Police, City-II District Sonipat on behalf of the respondent-State has been filed in the Court today and the same is taken on record.

5. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. She has submitted that the petitioner was specifically named in the FIR as who has fired multiple shots. It is further submitted even though no injury was caused, the offence is clearly made out against the petitioner. She further submits that out of 20 prosecution witnesses,

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petitioner today in the Court and the same is taken on record.

6. Heard.

7. On hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is the brother-in-law of the complainant. Both the complainant and his wife have already been examined before the trial Court, and they have not supported the prosecution version of the case. Custody certificate produced would show that the petitioner has completed incarceration of 11 months and 29 days as on 17.11.2025. He is involved in one more case, however, he is on bail in the same. Out of 26 prosecution witnesses, only 06 have been examined. Investigation is complete and charges have been framed.

8. 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 sufficiently long time.

9. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

18.11.2025
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(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No