

CRM-M-26460-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.227

Case No. : CRM-M-26460-2025

Decided On : November 12, 2025

Shivam @ Lucky Petitioner
vs.
State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. Pradeep Duhan, Advocate
for the petitioner.

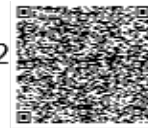
Mr. Sulinder Kumar, DAG, Haryana.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 is for grant of regular bail to the petitioner, in case FIR No.644 dated 24.12.2024, under Section 287 of the Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 25(1-B)(a) of Arms Act (Sections 61(2), 95, 111(2)b, 111(5) BNS and Sections 25(6), 54 and 59 of Arms Act were added, while deleting Section 25(1-B)(a) of Arms Act, later on), registered at Police Station City Hisar, District Hisar.

Briefly, the case of the prosecution is that the complainant namely Krishan Kumar made statement that he used to work at a liquor shop and on 24.12.2024, at about 06:15 PM, he was present at Auto Market Hisar, when three boys came on a motorcycle. One of them took out a pistol and fired in the air. Another boy picked up a stone and threw it towards the liquor shop.

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All the three boys fired in the air and ran away with their motorcycle, thereby spreading terror and panic in the area. On the basis of this statement, the FIR in question was registered.

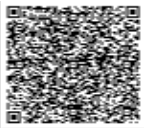
Learned counsel for petitioner has contended that the petitioner has been falsely involved in the present case. He was not named in the FIR. No Test Identification Parade was got conducted to ascertain the involvement of the petitioner. No injury has been caused to any person in the alleged incident. As per the final report, there are total 28 witnesses and even charges have not been framed yet. The petitioner was arrested on 26.12.2024, though there is no material on record to show the involvement of the petitioner in the alleged occurrence. Learned counsel further urged that trial of the case is likely to take time. Therefore, the petitioner be granted concession of regular bail.

Learned State counsel opposed the bail petition while contending that the petitioner and his co-accused fired in the air to create fear among the general public. The petitioner was seen in the CCTV footage while firing in the air. So, he does not deserve the concession of bail.

I have heard the learned counsel for the parties and have also gone through the case file.

As per the allegations, the petitioner, in connivance with other co-accused, reached a wine shop on a motorcycle on 24.12.2024 and fired in the air to create fear in the people in the nearby shops. The petitioner was not named in the FIR. Later on, his name cropped up during the investigation.

It is a no injury case.



Challan in this case has already been presented and 28 prosecution witnesses have been cited, out of which no witness has been examined till date. As such, conclusion of the trial is likely to take considerable time.

As per the Custody Certificate dated 11.11.2025, which has been produced in Court today, the petitioner has already undergone custody of 10 months and 13 days. So, no useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted on regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned Trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

November 12, 2025
monika

(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.