



214

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-36727-2025 (O&M)****Date of Decision: 05.09.2025**

Himanshu

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Jasbir Singh Dadwal, Advocate
for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.219, dated 25.08.2021, under Section 25 of Arms Act, and Sections 148, 149, 307, 120-B, 212 of Indian Penal Code, registered at Police Station Kosli, District Rewari, Haryana.
2. Succinctly the facts of the case are that the FIR has been registered on the statement of complainant, namely, Yashdev son of Ashok Kumar. It was alleged that on 25.08.2021 at about 2:35 noon, he along with Aman and Akshay were standing in front of the office of Bhupinder. In the meantime, some motorcycles came one by one, in all they were 4 motorcycles, on which, Himanshu (present petitioner), Deepak, Gholu @ Sachin, Vicky @ Daku and Parvesh and 6 other boys were alighted. They were armed with 'Dandas', so far, Himanshu was concerned, he was armed with pistol and he started chasing him by firing towards the complainant and one shot hit on the palm of his right hand. In order to save himself, he ran away from the spot. It was alleged that he had previous enmity with Himanshu and Deepak. Thus the request was made



to take the legal action for the alleged firing on him by the assailants. After the registration of the FIR, the investigation commenced and the petitioner was arrested on 15.11.2021. On the completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the learned trial Court for grant of regular bail, but the same was declined by order dated 12.05.2025 by learned Additional Sessions Judge, Rewari.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submits that the petitioner has been behind bars since 15.11.2021. He submits that after registration of the FIR, the petitioner was arrested and thereafter, the complainant in the present FIR was murdered. He submits that the petitioner has been falsely implicated in the murder of the complainant as well while he was already behind bars in the present case. He has however, submitted that the petitioner is on bail in the FIR registered against him under Section 302 of IPC. He submits that the material witnesses have already been examined and he has completed incarceration of more than 3 ½ years. Thus, in the facts and circumstances, he deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. She has submitted that the petitioner is also an accused in a case registered bearing FIR No.289 dated 04.11.2021, Police Station Kosli, which was registered regarding the murder of the complainant of this case. On instructions, she has submitted that out of 23 PWs only 11 witnesses have been examined. She has produced custody certificate of the petitioner today in the Court and the



same is taken on record.

5. Heard.

6 On hearing learned counsel for the parties and perusing the record, it has inferred that the petitioner was arrested on 15.11.2021 and the custody certificate would show that the petitioner has completed incarceration of 03 years, 09 months and 20 days as on 04.09.2025. It further reflects that the petitioner is involved in three other cases, however, he is on bail in one case and in custody in rest two cases. The material witnesses already stand examined.

7. 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.

8. 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. However, if the petitioner does not furnish the bail bonds within 7 days from today, then his further custody after one week will not be counted in this case.

05.09.2025

Geeta

(RAJESH BHARDWAJ)
JUDGE

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