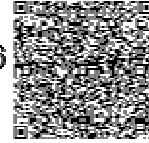


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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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**CRM-M-37431-2025 (O&M)
Date of decision : 12.09.2025**

Rohit @ Mussi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Garvit Mittal, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 416 dated 24.09.2024, registered under Sections 109(1), 115, 118(1), 190, 191(3) and 351(3) of BNS, 2023 (Sections 61, 118(2), 115(2) and 238 of BNS were added and Sections 190 and 191(3) of BNS were deleted later on) and Section 25 of the Arms Act, 1959 at Police Station Nissing, District Karnal.

2. The aforementioned FIR was registered on the statement of complainant on the allegations that on the evening of 24.09.2024, when the complainant along with Shekhar and Abhishek was present at the stall of one Paras, the petitioner along with some other youths had reached there on 4-5 motorbikes. They were armed with weapons. Accused Pankaj @ Sample and Rahul had opened an assault upon the complainant with intent to kill him and

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struck blows with *Gandasi* and knife on his head and abdomen respectively. His companion Shekhar also sustained injuries at their hands and had fallen unconscious. By alleging that the assailant had injured them without any reason and that the petitioner had captured a video of the incident in his cellphone and had forced Abhishek to apologize, the complainant prayed for taking action in the matter. After registration of the FIR, investigation proceedings were initiated. CCTV footage of the incident had been procured. Accused Manjeet @ Musala was arrested on 26.09.2024. He suffered disclosure statement admitting his involvement in the crime and got recovered a ice poker used by him for causing injuries to the victims. The petitioner was arrested on 30.09.2024. He too got recovered a knife and a motorcycle used at the time of occurrence. Subsequently, statement of Shekhar was recorded, who disclosed that the petitioner had stabbed him in his abdomen with a knife. On receipt of medical opinion, as per which, injury No. 1 sustained by Abhishek was found to be dangerous to life, offence under Section 118(2) of BNS was added. Other offences were also added. Investigation now stands completed. The petitioner along with co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 30.09.2024. Co-accused Rahul, who was alleged to be the main accused, has been exonerated by the investigating agency. No specific injury has been attributed to the petitioner. The injuries sustained by victim Abhishek have not been attributed to him. Trial will take considerable time to conclude since only 02 prosecution witnesses out of total 10 witnesses have been examined so far. Therefore, it is

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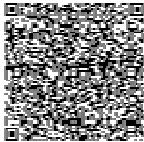
urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. While controverting the contentions raised by learned counsel for the petitioner, it is argued by learned State counsel that there are serious and specific allegations against him, who by being member of a unlawful assembly and by hatching a conspiracy with them had caused injuries to the complainant and his companions. One of the injuries sustained by victim Abhishek has been opined to be dangerous to life. The petitioner has criminal antecedents as he is involved in one more case. There are chances of his absconding or intimidating the witnesses if extended benefit of bail. It is, thus, argued that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is alleged to have assaulted the victims. He is also alleged to have caused injury with a knife on the person of injured Shekhar, though said injury had been opined to be simple in nature. The petitioner is in custody since 30.09.2024. He is stated to be involved in one more case registered against him under Section 160 of IPC read with Section 25 of the Arms Act but he is on bail in that case. Trial is likely to take time to conclude as only 02 prosecution witnesses have been examined so far out of total 10 witnesses. No injury which had been opined as grievous/dangerous to life has been attributed to the petitioner. Rather, the same is attributed to co-accused. Keeping in view the

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period of incarceration of the petitioner, the part played by him and the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

12.09.2025
Wasim Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No