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

CRM-M No.41412 of 2025

Date of Decision: 20.11.2025

Rohit**.....Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ***********

Present :- Mr. A. D. S. Jattana, Advocate
for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

**********RAJESH BHARDWAJ, J. (Oral)**

1. Present third petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.349, dated 01.11.2024, under Sections 109(1), 115, 126, 190, 191(2), 351(2) of BNS and Section 25(1) of Arms Act, registered at Police Station Uchana, District Jind.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Sumit. It was alleged that on 31.10.2024, at about 12:15 A.M., brother of the complainant, namely, Sahil was returning to his house after celebrating Diwali. It was alleged that on his way, Sahil was abused by Sachin @ Sukha, Sombir @ Kadu, Rohit (petitioner), Sagar and others. On his raising objection, all of them started beating him. Rohit (petitioner), Sagar and



Karan @ Kannu caught hold his brother, namely, Sahil, whereas Sachin @ Sukha took out his gun and shot in the head of Sahil with intention to kill. On hearing the sound of fire, the complainant and his family members reached the spot. They found that all the accused escaping from the scene of occurrence along with the weapons. Brother of the complainant, Sahil was shifted to the Hospital. Thus, the request was made to take legal action against the accused persons. On registration of the FIR, the investigation commenced. The petitioner was arrested on 17.11.2024. The injured was medico legally examined. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Jind praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Jind declined the bail application filed by the petitioner vide order dated 15.01.2025. Being aggrieved, the petitioner earlier approached this Court twice by way of filing CRM-M-6205-2025 and CRM-M-23973-2025, however the same were dismissed vide orders dated 07.02.2025 and 08.05.2025. Hence being aggrieved, the petitioner is again before this Court by way of filing the present third petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner along with his family members WERE very much present in his house, however he has been arrayed as an accused only to implicate all the members of the family. He has submitted that even otherwise, the petitioner has been alleged to have caught hold the

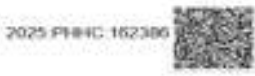


injured, who has suffered a bullet injury. He has submitted that the story of prosecution itself is unbelievable as the petitioner could not have caught hold the injured when he was being fired upon. He has submitted that the complainant side themselves was the aggressors. He has submitted that the complainant himself is a man of criminal antecedents, who is involved in 03 other cases and presently, he himself is behind bars. To buttress his arguments, he has submitted that the petitioner has no criminal antecedents. He has submitted that the petitioner is behind bars from last more than 01 year. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State has opposed the submissions made by learned counsel for the petitioner. She has submitted that the petitioner along with the other co-accused had caught hold the injured and he suffered fire arm injuries. He has submitted that the petitioner and the co-accused have played an active role in the commission of offence. She, on instructions, has submitted that out of total 28 prosecution witnesses, only 02 witnesses have been examined so far. She has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. The Court has heard learned counsel for the parties and perused the record with their able assistance.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the allegations against the petitioner that he caught hold the injured, who suffered fire arm injury. The petitioner is behind bars since 17.11.2024. Out of total 28 prosecution witnesses, only 02 witnesses have been examined. Custody certificate produced would



show that the petitioner has suffered incarceration of 01 year and 02 days as on 19.11.2025. It further reflects that the petitioner is not involved in any other case. It has also been argued before this Court by learned counsel for the petitioner that the complainant himself is behind bars at present in some other case.

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.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail.

9. Accordingly, the present petition is allowed and the 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.

20.11.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(RAJESH BHARDWAJ)

JUDGE