



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

Date of decision: 29.10.2025

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CRM-M-42958-2025

VIVEK ALIAS BUNTY

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

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CRM-M-54548-2025

AKSHAY KUMAR

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Rajesh Nain, Advocate
for the petitioner(s).

Mr. Ramesh Kumar Ambavta, DAG, Haryana
assisted by ASI Jagbir Singh.

YASHVIR SINGH RATHOR, J. (Oral)

1. By this common order, above noted petitions are being decided together as both the petitions relate to common FIR. For brevity, facts are taken from CRM-M-42958-2025.

2. Prayer in this petition under Section 483 of BNSS, 2023 for grant of regular bail to the petitioners in case FIR No.114, dated 21.03.2025, registered at Police Station Pundir, District Kaithal, under Sections 109(1), 3(5) of BNS, 2023 and Section 25 of Arms Act, 1959 (Section 351(2) of



BNS and Sections 25(1)(a), 25(1B)(c), 27(2), 25(1B)(a), 25(8) of Arms Act added and Section 25 deleted later on)

3. In case No.CRM-M-54548-2025, Status report by way of an affidavit of Sushil Parkash, HPS, Deputy Superintendent of Police, Kaithal, filed on behalf of the State is taken on record.

4. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

5. The present case was registered on the basis of information given to the police by Vinod Kumar on 21.03.2025 that one Birbal has fired shot at his wife Urmila, who is admitted in Government hospital, Pundri. The police reached the hospital and recorded the statement of Urmila, who alleged that her brother-in-law in relation Birbal was working at Beauty Parlour and since he was involved in criminal activities, he was removed from service. He started keeping a grudge against them and on 21.03.2025 at about 01.30 PM, said Birbal came to her beauty parlour and started beating her and on hearing her voice, her brother-in-law Manjeet came their. However, Birbal fired a gun shot at her which hit in her neck and when Manjeet tried to catch hold on Birbal, he ran away on a motorcycle parked nearby on which, one person was sitting. The matter was investigated. Birbal was arrested on 26.03.2025. Thereafter, on 29.03.2025, Akshay Kumar and Vivek @ Bunty (petitioners) were arrested on the basis of disclosure statement suffered by co-accused Birbal as the persons, who had supplied the arms to him. After completion of investigation, final report has been presented for trial.



6. Learned counsel for the petitioners argued that petitioners have been nominated as an accused on the basis of disclosure statement suffered by co-accused Birbal as the supplier of weapon but the said disclosure statement is not admissible in evidence. Petitioners were not involved in the main incident of assault and hence, Section 307 of IPC is not attracted against them. Learned counsel contended that petitioners are in custody since 30.03.2025. Challan has already been presented. The trial is likely to take some more time to conclude and no useful purpose will be served by keeping the petitioners in custody anymore and they are entitled to be released on bail.

7. On the other hand, learned State counsel has opposed the bail and argued that petitioner Vivek @ Bunty is not entitled to benefit of bail in view of past criminal antecedents as he is involved in nine more cases in U.P under Arms Act and other offences under Section 307 of IPC etc. and in view of the gravity of offence, they do not deserve the concession of bail.

8. Petitioners were not involved in the incident of assault upon the victim. The allegations against them are that main accused Birbal had taken weapon from them and petitioners have been nominated as an accused by co-accused Birbal. As to how much evidentiary value will be attached to the disclosure statement shall be the subject matter of trial. Petitioners are in custody since 30.03.2025. Merely, petitioner Vivek @ Bunty is involved in some more cases in U.P is no ground to decline the bail in the present case. The trial is, thus, certainly going to take a sufficiently long time to conclude and further detention of the petitioners is not required and they deserve to be released on bail.



9. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioners are ordered to be released on bail on their furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

10. Pending misc application (s), if any, shall also stand disposed of.

29.10.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No