

2025:PHHC:114925



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.43896 of 2025
Date of Decision: 28.08.2025
Reserved on: 19.08.2025

Sunil ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kartar Singh Malik, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

Mr. Rakesh Nehra, Sr. Advocate with
Mr. Sahil Nehra, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
0146	07.04.2025	Rohtak City, District Rohtak, Haryana	25 and 27 of Arms Act, 1959 (For short “Act, 1959”) and 109(1), 126, 191(3), 324(4) and 190 of the Bharatiya Nyaya Sanhita (For short ‘BNS’) (61(2) of BNS added later on and 25 and 27 of Act, 1959 were deleted)

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2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on the basis of complaint lodged by the complainant Ankur alleging that on the night of 04.04.2025, he was going towards his house in his car and while on the way, he was intercepted by the occupants of a Duster make car which was not having any number plate. The occupants thereof stopped their vehicle in front of the vehicle of the complainant. Three youths came out of it. They were armed with rods and sticks and they started damaging his vehicle and then tried to kill him by moving their vehicle towards the complainant. The complainant tried to flee but his car was hit by the assailants with their vehicle with an intention to kill him. Somehow he managed to flee with his car towards Ambedkar Chowk. The assailants also fired a shot upon him but he had a narrow escape. He went to women police station on the way and could save his life. The complainant alleged that his father was away to Bangalore on that day and came back in the next evening. He had made inquiries and came to know that the Duster car used in the crime was owned by accused Jombir and the petitioner had brought the same through his brother Amit @ Mitti and then Amit @ Mitti and his companions had opened attack upon him with intention to kill him. The cause of grudge was that in the month of January, the petitioner had demanded some money from him and he had refused to give the same. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 21.05.2025. On interrogation, he suffered disclosure statement admitting his

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involvement in the crime. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is inordinate delay in lodging of the FIR which has not been explained. He had not been attributed any injury. His presence at the spot of occurrence has not even been alleged. There is no material on record to show that he had any hand in commission of offence. The FIR of this case is a counterblast to the FIR No.23 dated 11.02.2025 got registered against the complainant. His further incarceration would not serve any useful purpose. The co-accused Deepak, Jombir and Abhishek have been extended benefit of bail. On parity, he too deserves to be granted the same benefit. It is, therefore, urged that he deserves to be released on bail.

4. On the other hand, learned Deputy Advocate General, Haryana assisted by learned counsel for the complainant has argued that the allegations against the petitioner are quite grave in nature. He is a member of gang involved in extorting money. He had provided vehicle to the co-accused for use in the same in committing the subject offences. He is the brain behind the occurrence. There are call detail records showing communication between the co-accused and the petitioner. There are chances of petitioner's absconding or intimidating the witnesses if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have hatched a conspiracy with the

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co-accused and in pursuance thereof is alleged to have provided vehicle owned by the co-accused Jombir to his brother Amit @ Mitti who along with the other co-accused, had opened a murderous assault upon the victim Ankur with an intention to kill him on account of previous enmity with him. The petitioner is in custody since 21.05.2025. Challan has since been filed. The petitioner has clean antecedents. None had suffered any injury in the incident. The offences under Sections 25 and 27 of Act, 1959 has been deleted. The trial would take considerable time. In such peculiar circumstances, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody any more and a case for release of petitioner on bail is made out. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

28.08.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No