



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

238-2

CRM-M-46559-2025

Date of decision: 4th November, 2025

Sumit Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Tushar Gautam, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Mr. Roshan Lal Saini, Advocate for respondents No. 2 and 3.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 54 dated 24.02.2025 registered under Sections 190, 191(3), 115(2), 351(3), 109(1) and 62(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25 of Arms Act, 1959 at Police Station Mahesh Nagar, District Ambala.

2. The aforementioned FIR was registered on the basis of a statement recorded by the complainant Amit on 24.02.2025, alleging that on the afternoon of 23.02.2025, he was sitting outside the shop of his brother Sachin, while his friend Sahil was sitting inside the shop. At that time, the petitioner along with co-accused Gaurav Baggan, Harsh, and Vansh, accompanied by 15–20 other persons, reached there, all being armed with weapons. They started hurling abuses at the complainant with some



malicious intent. On hearing the commotion, his friend Sahil came out of the shop, whereupon all of them opened an attack upon the complainant as well as his friend Sahil by inflicting blows with the weapons they were carrying, as a result of which both of them sustained several injuries. After seeing that some persons were reaching there, they tried to flee and when Sahil and some other persons tried to chase them, accused Vishal Sonkar fired 4-5 shot with a weapon upon them with intent to kill them, but they had a narrow escape. The complainant alleged that he could identify the remaining assailants as well. After registration of FIR, investigation proceedings were initiated. A CCTV footage of the camera capturing the incident has been procured. The scene of crime was inspected. The accused Harish @ Harsh, Rajesh @ Vansh were arrested on 27.02.2025. They suffered disclosure statements. Accused Rajesh got recovered a sword. The petitioner was arrested on 03.03.2025. He too suffered disclosure statement and got recovered one .32 bore pistol and a sword besides demarcated the place of occurrence. Accused-Sahil joined investigation proceedings on being extended benefit of anticipatory bail. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. No injury or specific act or weapons has been attributed to him. He has been in custody since 03.03.2025. His continued detention would not serve any fruitful purpose. Trial will take considerable time to conclude. With these broad submissions, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Haryana, assisted by learned counsel for respondents No. 2 and 3 that there are serious allegations against the



petitioner. He has criminal antecedents. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. It is, therefore, urged that he does not deserve to be released on bail.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner by forming membership of an unlawful assembly with the co-accused is alleged to have opened an attack upon the members of the complainant party and to have inflicted injuries to the complainant-Amit. However, neither any recovery has been effected from him nor any specific injury has been attributed to him. He is in custody since 03.03.2025. The trial has commenced but will take considerable time to conclude. No purpose is going to be served by detaining him in custody anymore. His involvement in other cases cannot be considered to be a reason for denying benefit of bail. As such, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

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

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

4th November, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*