



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

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**CRM-M-48522-2025
Date of decision:05.09.2025**

MOHD JAID

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Farukh Abdullah, Advocate
for the petitioner.

Mr. Ved Parkash, Senior DAG, Haryana.

Mr. Nafeesh Ahmed, Advocate
for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Section 483 B.N.S.S read with 528 B.N.S.S., 2023 for seeking concession of regular bail in case bearing FIR No. 13 dated 02.02.2025 registered under Sections 115(2), 191(3), 351(3), 109(1), 3(5) of B.N.S., 2023 and Section 25 and 27 of the Arms Act, 1959 at Police Station Nagina, Mewat.

2. The prosecution's case, in brief, is that on 31.01.2025, at about 7:00 p.m., the complainant received information regarding an altercation between Aasif and Jaid near the gate of the village Government School. On

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reaching the spot, the complainant intervened, and thereafter, while returning home along with Aasif, they were allegedly attacked in front of Jaid's house by Irshad, Naushad, Munfed, Jaid, and Mubarik, armed with lathis and dandas. The complainant and Aasif, however, managed to escape. It is further alleged that when Shahrukh, Talim, and Riyaj came to their rescue, Talim was struck on the head with a stone by Irshad, Riyaj was injured on the leg by a lathi blow from Munfed, and Shahrukh was similarly assaulted by Naushad. At that stage, Aakib, son of Gaffar, arrived in a car, threatened to kill the complainant, and allegedly instigated Jaid and Mubarik to open fire. Pursuant to such exhortation, Jaid and Aakib fired, and pellets from their weapons struck the complainant Moin. On hearing the commotion, villagers gathered at the spot, compelling the accused persons to retreat into their houses. On the basis of these allegations, a formal FIR was registered. The applicant was arrested on 06.03.2025 and has since remained in judicial custody. It is in this backdrop that the present bail application has been filed.

3. Learned Counsel appearing on behalf of the petitioner contends that as per the initial version recorded in the FIR, the complainant has named all three persons viz. the petitioner Mohd. Jaid, Aakib and Mubarik to have fired a straight shot in the abdomen of the injured, however, Mubarik was found innocent during investigation while Aakib has already been granted concession of regular bail by the trial Court. He contends that the petitioner has been in custody since 07.03.2025 and has already undergone an actual custody of 05 months and 28 days as per the custody certificate. He submits

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that he is not involved in any other criminal case and no further recovery is to be effected from him. He submits that only 01 witness out of the total 24 witnesses has been examined so far and the trial is likely to take a long time.

4. Counsel for the respondent-State assisted by the Counsel for the complainant submits that the injured sustained injuries to his abdomen and that the weapons of offence had been recovered from the petitioner herein. They contend that the petitioner being the main accused, should not be granted concession of regular bail.

5. Counsel, however, is not in a position to dispute that the petitioner has already undergone an actual custody of 05 months and 28 days and he is not involved in any other criminal case. It is also not in dispute that only 01 witness out of the total 24 witnesses has been examined so far.

6. I have heard learned counsel appearing on behalf of the respective parties.

7. In view of the facts noticed above and taking into consideration the stage of trial, the age as well as the period of custody, clean antecedents of the petitioner and bearing in mind the fact that the co-accused Aakib has already been granted regular bail, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

8. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.



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9. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

SEPTEMBER 05, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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