



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

227

CRM-M-50681-2025

Date of decision: 8th December, 2025

Hanif

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Munfaid Khan, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

Mr. Soeb Khan, Advocate for the complainant.

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. 148 dated 01.07.2025 registered under Sections 191(2), 191(3), 115(2), 109 and 351(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25 of Arms Act, 1959 at Police Station Pinangwan, District Nuh.

2. The aforementioned FIR was registered on the basis of written complaint submitted by the complainant Mubeen alleging that the petitioner and the co-accused were having a plot which was existing next to the plot owned by the complainant. A dispute was going on between the members of the accused party and the family of the complainant about these plots and an FIR bearing No. 73 had been lodged at Pinangwa, Police Station. On



30.06.2025, the accused persons had been raising some construction on their plot. They had assaulted Rehmat, father of the complainant and had proclaimed that the complainant could do whatever he wanted to do. A Panchayat meeting was convened on 01.07.2025. The petitioner by forming membership of an unlawful assembly with the co-accused encircled the father of the complainant and caused injuries to him with the help of *lathees*, *dandas* and iron rods. He was left in an injured condition. Sometime thereafter, they also opened an attack upon the complainant, his brother Dilshad and Waheed. The accused Arbaz and Ikram fired shots with firearm thereby causing injuries to Dilshad and Waheed and while extending threats to kill the family of the complainant, they managed to flee. The injured were rushed to the hospital and were provided treatment. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 01.07.2025. The co-accused have also been arrested. Investigation now stands completed and the challan has been filed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No specific injury has been attributed to him and vague allegations have been levelled against him. He is in custody since 01.07.2025. He has clean antecedents. He has been implicated only because his son is alleged to have participated in the occurrence. The firearm injuries have also not been attributed to him. His continued detention would not serve any useful purpose. Trial is likely to take time to conclude. With these broad submissions, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on bail.

4. Status report as well as custody certificate has been filed. Learned



State counsel assisted by learned counsel for the complainant has vehemently argued that the petitioner by forming membership of an unlawful assembly with the co-accused and with an intent to cause death of the victims, had opened an assault upon them and voluntarily caused simple as well as grievous injuries to them. Victims Waheed and Dilshad had sustained firearm injuries which are obviously dangerous to life. There are chances of his absconding or committing similar offences, if extended benefit of bail. The son of the petitioner is still absconding. Therefore, it is stressed that the petition does not deserve to be allowed.

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

6. The petitioner along with the co-accused is alleged to have caused injuries to the victims Dilshad, Waheed and Rehmat in prosecution of their common object by forming an unlawful assembly. The allegations make out a *prima facie* case for commission of the subject offences as against the petitioner, however, he is in custody since 01.07.2025. The firearm injuries have not been attributed to him and as per the allegations, he had caused injuries with *danda* on the person of victim Rehmant. The petitioner does not have any criminal antecedents. He is not required for further investigation. Trial would obviously take time to conclude since no prosecution has been examined so far. Taking into consideration the above-mentioned facts, but without making any comment on the merits of the case lest the same prejudice either of the parties, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds of two sureties to the satisfaction of the learned trial Court/Chief Judicial



Magistrate/ Duty Magistrate concerned.

7. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

8th December, 2025

Parveen Sharma

- | | | |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |