



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(216)

CRM-M-51079-2025 (O & M)
Date of decision: 12.11.2025

Sunny

.... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Tanmoy Gupta, Advocate, for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this second petition under Section 483 of BNSS is for the grant of regular bail to the petitioner in case FIR No.11 dated 12.01.2024 under Sections 307, 34 IPC and Section 27(1) of the Arms Act, 1959 (Section 25(1B)(A) of the Arms Act, 1959 deleted later on) registered at Police Station Sector 53, Gurugram, Haryana.

2. The present FIR came to be registered at the instance of Naresh Yadav and reads as under:-

*To the Hon'ble Station House Officer, Police Station Sector 53.
Sir, it is requested that I Naresh Yadav son of Suresh Yadav, am resident of H. No. 1825, Vazirabad, Sector 52. Gurugram. I have office under the name of Yadav Property in Plot No. "Sarswati Kunj Sector 53, Gurugram. About 4-5 days before.*



Sunny resident of Mangar and nephew of Dholu and another person come into my office and he said that this plot is mine, you should vacate it immediately. I told him that this is my plot and if you have any document of this plot, then show me, I will vacate it. He got angry and he told me that vacate this plot, otherwise you have to pay money against this plot. Thereafter these three persons have gone from there. Later on, 12.01.2024 at around 3.00 PM Sunny along with his two accompanies, nephew of Dholu and one another person came on a motorcycle near to my office and at that time I was sitting in my car. Sunny came towards my car and he sat on my adjoining seat of car and told me that you might vacate the plot, otherwise you have to pay money in lieu of said plot and when I told him that I have talked to Deepak Mandi, I will not give you anything, hearing this, he got annoyed and he told me to step out from the car, then we would talk and when I stepped out from my car and started talking to him, then Sunny came from one side and made fire on me with the intention to kill me and the alleged gun shot hit on my left hand, thereafter, I ran away from there to escape me but they had chased me to make firing on me but I got succeeded to ran from there. Legal action be taken against them. Sd/-Naresh.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. All the material prosecution witnesses stand examined and have not supported the prosecution version. A co-accused of the petitioner, namely, Abhishek has been granted the concession of regular bail by this Court vide order dated 06.08.2025 (Annexure P-11). As the petitioner is in custody since 23.01.2024 but only 13 out of the 31 prosecution witnesses have been



examined so far, the Trial is not likely to be concluded in the present case anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, has filed a status report dated 10.11.2025 which is taken on record. While referring to the said report, he contends that though, some of the prosecution witnesses have turned hostile, the entire occurrence has been captured on CCTV camera from which it is apparent that the petitioner had fired shots at the injured-Naresh Yadav while being accompanied by his co-accused/Abhishek and Vikas. The weapon of offence has been recovered at the instance of the petitioner and on being examined by the FSL, is found to have been used in the occurrence. Further, the petitioner is a habitual offender with three other cases pending against him. The case of co-accused/Abhishek is on a different footing inasmuch as no injury has been attributed to him. He, therefore, prays that the petitioner is not entitled to the concession of bail and therefore, the present petition is liable to be dismissed.

5. I have heard the learned counsel for the parties.

6. Admittedly, the material prosecution witnesses have turned hostile and a co-accused/Abhishek has been granted the concession of bail. However, it is apparent that the entire occurrence was captured on CCTV camera as per which it is the petitioner who is the main assailant. The weapon of offence recovered at the instance of the petitioner has been used in the occurrence as is apparent from the report of the FSL. Further, he is a habitual offender being a convict in one case and an undertrial in two. Therefore, he is not entitled to the concession of bail.



7. In view of the above, I find no merit in the present petition and therefore, the same stands dismissed.
8. The pending application(s), if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

November 12, 2025
sukhpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No