



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

244

**CRM-M No.53188 of 2025
Date of decision : 24.9.2025**

Nikil @ Kunal**.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Kushagra Beniwal, Advocate, for the petitioner

Mr. Gurmeet Singh, AAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.237 dated 7.7.2025, under Sections 109(1), 115, 190, 191(3) and 351(2) of Bharatiya Nyaya Sanhita, 2023 and Sections 25/54/59 of Arms Act, 1959, registered at Police Station Kunjpura, District Karnal.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'A copy of the application is enclosed. To, The Station House Officer, Kunjpura Police Station, Sir, I. Prem, son of Shri Nanhu Ram, resident of Baragaon. humbly submit that yesterday, on 6.7.25, my elder son Ravinder was standing near the village temple. A car came from the front, ran over my son's foot, and fled the scene. When the car was passing by again, my son stopped it. The car was being driven by Rohit, son of Bhim Singh, and



Pintu along with some other boys were sitting in it. When my son asked why he ran the car over him, they became angry and left after arguing, abusing, and threatening to "deal with him". My son came home and told us all this. After that, Pintu called my son on the phone and threatened him, saying, "Come to Nurmahal, I'll deal with you there". Then he said, "Okay, I'll deal with you right here in the village". So today, at around 2:45 PM, Pintu son of Rajender, Rohit son of Bhim, Shubham, all residents of Baragaon, and Sudhir from Makhumajra, came to the main road in our village in 7 to 8 cars with boys from outside. They were armed with weapons, sticks, and clubs, and they assaulted my sons Ravinder and Saurabh. We later found out that they also fired shots with the intent to kill them. As they were leaving, they threatened that they would kill us. My sons fled the scene. Legal action should be taken against Pintu son of Rajender, Rohit son of Bhim, Shubham, all residents of Baragaon, and Sudhir from Makhumajra, as well as the other boys who came with them in 7 to 8 cars. SD- Prem Singh.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 9.7.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the name of the petitioner does not specifically figured in the FIR. Learned counsel has further argued that, assuming *arguendo*, the prosecution version is taken to be correct, the role ascribed to the petitioner is of having a *danda* but no specific injury was attributed to the petitioner. Learned counsel has further argued that the petitioner is a young man aged 21 years with no criminal antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 23.9.2025



in Court, which is taken on record.

4.1 Mr. Pankaj Bali, Advocate has caused appearance on behalf of the complainant and has filed his *vakalatnama* on his behalf. The same be kept on record. Learned counsel for the complainant has vehemently opposed the bail petition by arguing that there are direct and serious allegations against the petitioner and in case he has granted the concession of bail, there is all likelihood of the petitioner to flee from the hands of justice and interfering with the prosecution evidence.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 9.7.2025 wherein after investigation was carried out and challan stands already presented on 6.9.2025. Total 21 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

As per custody certificate dated 23.9.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 2 months and 10 days & is not shown to be involved in any other case.



Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.



10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

24.9.2025
Ashwanii

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