

CRM-M-63735-2025

2025:PHHC:159778



238

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-63735-2025

Rahul @ Numberdar @ Bunty

....Petitioner

Versus

State of Haryana

....Respondent

Date of decision: November 18, 2025

Date of Uploading: November 18, 2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

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

Mr. Gurmeet Singh, AAG Haryana.

SUMEET GOEL, J. (ORAL)

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 bearing FIR No.237 dated 07.07.2025, registered for the offences punishable under Sections 109(1), 115, 190, 191(3) & 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 238-A & 351(3) of the BNS added and Section 351(2) of the BNS deleted later on) and Sections 25-54-59 of the Arms Act, 1959, at Police Station Kunjpura, District Karnal.

2. The gravamen of the FIR in question is that on 07.07.2025, a complaint was submitted by Prem Singh against Pintu, Rohit, Shubham, and Sudhir, along with 7-8 unidentified persons who were present in several vehicles. The complainant stated that on 06.07.2025, his elder son, namely,

CRM-M-63735-2025

Ravinder was standing in the village when a vehicle approached from the opposite side, ran over his foot, and fled from the spot. Shortly thereafter, the same vehicle returned, and Ravinder stopped it. At that time, Rohit, Pintu, and some other boys were found inside the car. When Ravinder questioned them about running over his foot, they began abusing and threatening him. Ravinder narrated the entire incident to his father at home. It is further alleged that Pintu later threatened Ravinder over the phone, calling him to Noor Mahal and again warning that he would “see him in the village.” On 07.07.2025 at about 2:45 PM, Pintu, Rohit, Shubham, and Sudhir, along with 7–8 unknown persons, arrived on the main road of the village in multiple cars, armed with weapons, *lathis*, and *dandas*. Acting in concert, they allegedly assaulted Ravinder and his brother Saurabh. The complainant later came to know that the accused had also fired shots at them with the intention to kill. While leaving, the accused allegedly issued life threats, after which Ravinder fled from the spot.

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 09.07.2025. Learned counsel has iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further argued that name of the petitioner does not specifically figure in the FIR. Learned counsel has further iterated that, assuming *arguendo*, the prosecution version is taken to be correct, the role attributed to the petitioner is of bringing his car to the spot in question in helping the accused flee away. Learned counsel has further iterated that the petitioner has been implicated into the FIR in question primarily on the disclosure of one Ajay Rana @ Pintu, who has been extended the concession of

CRM-M-63735-2025

anticipatory bail by this Court, no 22.09.2025. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner 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 the custody certificate dated 17.11.2025, in the Court today, which is taken on record.

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

6. The petitioner was arrested on 09.07.2025, whereinafter, investigation was carried out and the challan has been presented on 06.09.2025. Out of total 21 cited prosecution witnesses, none has been examined till date. Indubitably, culmination of the trial will take its own time. The rival contentions raised at Bar given 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.

6.1. As per custody certificate dated 17.11.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 04 months and 04 days. Further, as per the said custody certificate, the petitioner is stated to be involved in other FIR(s). However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the

CRM-M-63735-2025

facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*, a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in CRM-M No.38822-2022 titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as undertrial is not warranted in the factual milieu 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(s), if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number(s) to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number(s) without prior permission of the trial Court/Illaq 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

CRM-M-63735-2025

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.
11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

November 18, 2025
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No