

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:165714



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CRM-M-65930-2025 (O&M)
Date of decision:28.11.2025

Vicky Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Harshit Jangra, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in case bearing FIR No.566, dated 15.12.2024, registered under Sections 296, 287, 351(3) of the BNS (offences under Sections 109 and 61(1) of the BNS were added lateron) and Section 25 of the Arms Act, at Police Station City, Bhiwani, District Bhawani.

2. The aforementioned FIR was registered on the basis of a complaint submitted by the complainant – Shubham on 15.12.2024 alleging therein that on the same day, he was standing in the street, when the petitioner accompanied by co-accused Gaurav reached there on a motorbike. Both of them started hurling abuses to him and extended threats to him. Complainant rushed towards his house and then he heard noises of the fire

shots. Later on, on going through the CCTV footage, he found that the accused Vicky Rao had fired shots upon him in order to kill him. After registration of the FIR, investigation proceedings were initiated.

3. The complainant recorded his supplementary statement on 05.01.2025 and produced CCTV footage of the camera installed in his house showing the incident. Sections 109 and 61(1) of the BNS were added. The petitioner was arrested on 08.01.2025. He suffered disclosure statement admitting his involvement in the crime and demarcated the place of occurrence. In pursuance of his disclosure statement, the petitioner got recovered one pistol along with two live cartridges. Investigation now stands completed and the petitioner along with co-accused is facing trial for commission of the aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 08.01.2025. The trial will take considerable time to conclude. Complainant has been examined. There are no chances of the petitioner's absconding or intimidating the other material witnesses. He has clean antecedents. It is, therefore, urged that the petitioner deserves to be released on bail.

5. Per contra, learned State counsel in terms of status report filed, has argued that there are serious and specific allegations against the petitioner and there are chances of his absconding or intimidating the witnesses, if extended benefit of bail. It is, therefore, urged that he does not deserve to be extended benefit of bail.

6. This Court has considered the rival submissions made by learned counsel for the parties.

7. The petitioner in connivance with the co-accused is alleged to have fired a shot upon the complainant with an intent to kill him and is also alleged to have fired in the air and had criminally intimidated the victim. He is in custody since 08.01.2025. The trial will obviously take time to conclude. It is well settled preposition of law that the bail is the rule and jail is an exception. Continued detention of the petitioner would not serve any fruitful purpose. Keeping in view the above facts and circumstances but without meaning to make any comment on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

28.11.2025*harjeet***(MANISHA BATRA)
JUDGE**

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