

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

2025:PHHC:163720



CRM-M-65075-2025 (O&M)
Date of decision: 26.11.2025.

SAMUNI @ SAMUN AHMED

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Pratham Sethi, Advocate,
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana

VINOD S. BHARDWAJ, J. (Oral)

The present first petition under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, is filed for grant of regular bail to the
petitioner in case bearing FIR No.68 dated 05.02.2025, under Section(s)
103(1), 115, 190, 191(3) and 351(3) of the Bharatiya Nyaya Sanhita, 2023,
(Section 117(2) of the BNS, 2023 and Section 25 of the Arms Act, added
later on) registered at Police Station Industrial Sector 29, District Panipat.

2 Succinctly stated, the FIR in the present case was registered on
the basis of statement of Krish son of Devender, an injured eye-witness to
the occurrence. The same reads thus:-

“I am pursuing study of class 12th. On dated 04.02.2025, at about 05:00 PM, I have received a phone call from Aditya that a quarrel took place, therefore reach near Shani Mandir, Old Sugar Mill, Panipat. When I was coming on Gohana Road on my motorcycle, then I have again received a phone call while on the way to come to Gohana turn. When I have reached towards Gohana Turn, my friend was standing there on bike. I have followed Rishab and reached at Khatik Basti. As soon as I reached there, a person came and slapped me and started asking me. What are you doing here? In the meantime, many persons gathered there. Diwanshu and Aditya took advantage and ran away from the spot/ all of them threw me and Rishab on the ground and started giving beatings to me with stick. Out of them, one person was armed with sharp edged weapon and given blow of weapon to Rishab. Rishab was bleeding. Attackers were calling each other as Bittu, Saurabh, Karan and Kaku. 10/12 other persons were also accompanied them. After so much bleeding, Rishabh fell down. All the persons who were giving beatings ran away from there while giving life threats to us. Thereafter Aditya and Diwanshu came there and took Rishabh to Hospital, whereby doctor has declared Rishabh as dead. Legal action may kindly be taken against the accused.”

3 Learned counsel appearing for the petitioner contends that on 04.02.2025, a brawl took place between the accused and Rishabh (since

deceased) on account of a road accident. While Rishabh passed away, Deevanshu and Aditya as well as complainant Krish suffered injuries. He contends that cause of death in the present case was a stab injury on the person of the deceased which is attributed to co-accused Mohammad Faizal. The weapon has also been recovered from him. He contends that as per the post-mortem report, there were only three injuries on the person of the deceased out of which one was stab wound and two others were merely abrasions. He contends that as per the police report, there were 08 persons involved in the incident including the petitioner. One person namely Parvez was declared as a juvenile and has been extended the concession of bail. It is submitted that the investigation in the case is already complete and the challan in the case was presented on 14.04.2025. The charge has been framed on 18.09.2025 and the case is now fixed for 02.02.2026 for recording evidence of the prosecution. Thus, the evidence has not commenced so far. He contends that there is no attribution of any nature whatsoever against the present petitioner. He has not caused any injury to the deceased or to any of the other injured witnesses and apart from the motorcycle, there is no recovery of any nature that has been effected from the petitioner. He further submits that the petitioner is not involved in any other case and that he is a young boy of 19 years and his future prospects would be gravely marred in case he is kept confined into custody. He submits that the petitioner has already undergone an actual custody of 09 months and 17 days as per the custody certificate placed on record by the respondent-State.

4 State counsel does not dispute the facts as noticed above.

5 Having heard the learned counsel for the parties and taking into

consideration the age of the petitioner, his clean criminal antecedents and absence of any specific attribution in the present occurrence as well as the period of custody and stage of trial, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

6 It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

7 The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

November 26, 2025.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
<i>Whether speaking/reasoned</i>	: Yes/No
<i>Whether reportable</i>	: Yes/No