



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

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CRM-M No.70839 of 2025

Date of decision : 19.12.2025

Date of uploading : 19.12.2025

Nirmal Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Gursimran Singh Madaan, Advocate and
Mr. Prabsimran Singh, Advocate, for the petitioner

Mr. Gurmeet Singh, AAG, Haryana

Mr. Bhupinder Kumar Gupta, Advocate, for respondent no.2

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.152 dated 11.5.2025 under Sections 109(1), 281 and 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 25 of Arms Act, 1959, registered at Police Station Naraingarh, District Ambala.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Vitesh Kumar son of Bahadur Lal, resident of village Manakpur, Police Station Shahzadpur, District Ambala, aged 20 years, mobile no.9653558498, stated that I am resident of above mentioned address and studying in Government P.G. College, Naraingarh. Today



dated 10.05.2025 at about 09:30 PM along with my friends Khushwinder Singh son of Ram Kumar resident of village Peer Majri, Police Station Naraingarh, Anil Kumar son of Balak Ram, resident of village Peer Majri, Police Station Naraingarh, and Mohit son of Mahinder Singh, resident of village Bhurewala, Police Station Naraingarh in Anil Kumar Scorpio No. HR04M-2777 for personal work from Subhash Chowk, Naraingarh towards College Road, Naraingarh. Our vehicle was driven by Khushwinder and I was sitting on other side seat with Khushwinder, and in the vehicle behind Khushwinder Anil Kumar son of Balak Ram and behind my seat Mohit son of Mahender Singh were sitting. Shops in the market were closed at that time. When we reached in front of Monti Samosa shop then suddenly a Scorpio No.HR04L-0777 driven fastly came from Village Kularpur side and broke driver side mirror of our car by hitting their vehicle. On this Khushwinder stopped the vehicle as well as driver of HR04L0777 stopped his vehicle and I along with Khushwinder alighted from vehicle as well as three boys also alighted from the other vehicle and we Started arguing and they threatened us with our life then a boy alighted from the other vehicle with the weapon held in his hand fired towards me with the intention to kill and the bullet hit me on my right left shoulder side on my chest and the boys ran away from the spot in their vehicle. Thereafter, my friends put me in the vehicle and brought me to Government Hospital, Naraingarh for treatment. I was attacked by unknown person in Scorpio no. HR04L0777 with the intention to kill, please legal action be taken against them. Sd/ Vitesh.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 22.8.2025. Learned counsel has further argued that the petitioner has been falsely implicated in the FIR in question. Learned counsel has further argued that, assuming *arguendo*, the prosecution version is taken to be correct, the Scorpio in question allegedly used for the commission of offence does not belong to the petitioner. Learned counsel has further iterated that the petitioner has not specifically attributed the role of firing of gun-shot and the same has been attributed to



co-accused Mandeep @ Deepi, who is in custody. Thus, regular bail is prayed for.

4. Learned State counsel has filed reply by way of affidavit of Virender Sharma, HPS, Deputy Superintendent of Police (Crime), Ambala Cantt., District Ambala. The same is kept on record. Raising submissions in tandem with the said reply, learned State counsel as also learned counsel for the complainant have 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 17.12.2025 in Court, which is taken on record.

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

6. The petitioner was arrested on 22.8.2025 wherein after investigation was carried out and challan stands presented on 12.11.2025. Total 24 prosecution witnesses have been cited and the charges have been framed on 3.12.2025. But none has been examined till date. Thus, 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.



6.1 As per custody certificate dated 17.12.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 3 months and 26 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/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 State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

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

(SUMEET GOEL)
JUDGE

19.12.2025
Ashwani

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