CGHC010396402026 2026:CGHC:46476

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9652 of 2026

Harswaran Singh Ghotra S/o Surendra Mohan Singh Ghotra Aged About 43 Years R/o Isarpuri Jalandhar (Punjab). **... Applicant**

NADIM MOHLE Digitally signed by NADIM MOHLE Date: 2026.11.03

versus

State of Chhattisgarh Through- Station House Office Police Station City Kotwali, Raigarh, District Raigarh Chhattisgarh. **... Non-applicant**

For Applicant	**:**	Mr. Krishna Tandon, Advocate
For Non-applicant	**:**	Ms. Sameeksha Gupta, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

03/11/2026

1. This is the first application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to applicant, who has been arrested in connection with Crime No. 474/2026, registered at Police Station City Kotwali, District Raigarh (C.G.) for offences punishable under Sections 296, 351(3), 115(2), 109(1), and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution case, in brief, is that the complainant, Khushal Agarwal, lodged a written report alleging that on 29.08.2026, at around 08:45

PM, while he was walking on the road, the rider of motorcycle bearing registration No. CG-13-BC-6711 splashed water on him. This led to an altercation, during which the rider abused and threatened him and allegedly fired two shots at him from a pistol-like weapon. However, the complainant managed to save himself by ducking and sustained no injury. It was further alleged that the rider assaulted him with hands and fists during the scuffle and thereafter fled from the spot, leaving his motorcycle behind. On the basis of the report, an FIR was registered against an unknown person under Sections 296, 351(3), 115(2) and 109(1) of the BNS and Sections 25 and 27 of the Arms Act. During investigation, the applicant was identified and arrested. On examination by the Armourer Protected Centre, Raigarh, the weapon recovered from the spot was found to be a small airgun and not a firearm. Accordingly, the investigating agency deleted Sections 25 and 27 of the Arms Act and filed the charge-sheet before the competent Court.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated. As per the medical examination report, three of the injuries sustained by the complainant are simple in nature, and no definitive opinion has been rendered by the medical officer regarding fracture or grievous hurt with respect to the fourth injury i.e. swelling on the index finger. The alleged weapon was found to be merely a airgun, and the provisions of the Arms Act have already been dropped by the police. Investigation is complete, the charge-sheet has been submitted, and the applicant has been languishing in jail since 02.09.2026. The applicant has no criminal antecedents in the State of Chhattisgarh, and trial is likely to take considerable time, therefore, he may be enlarged on bail.

4. On the other hand, learned State counsel opposes the bail application and submitted that the applicant used an airgun to intimidate and assault the complainant, caused grievous injuries on the complainant's

hand and body, and considering the gravity of the allegations, he may not be enlarged on bail.

5. Heard learned counsel for both parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case the nature of the allegations and the medical report indicating that the primary injuries are simple in nature, with no conclusive finding of grievous hurt; the charge-sheet has already been filed; the applicant is in jail since 02.09.2026; and the absence of any reported criminal antecedents against the applicant in the State of Chhattisgarh; this Court is of the opinion that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is **allowed**.

7. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail, on following conditions :-

   (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,

   (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

   (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. The observation made hereinabove is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

Rakesh Mohan Pandey
JUDGE

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