



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

Sr. No.211

CRM-M-7727-2026

Date of Decision: 28.04.2026

SHIVAM

...Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Ankur Dua, Advocate
for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of the BNSS, 2023 for grant of regular bail to the petitioner in case FIR No. 793 dated 17.10.2022, registered under Sections 148, 149 and 324 IPC (offences under Sections 323, 307 IPC and Section 25 of the Arms Act having been added during the course of investigation), at Police Station City Rohtak, District Rohtak.

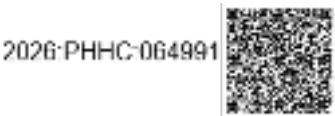
2. Briefly stated, the prosecution case is that on 16.10.2022 at about 10:30/11:00 p.m., the complainant had gone for a walk to Indira Colony Park after taking dinner, where he noticed six boys standing near a motorcycle. When he reached near them, an altercation allegedly took place and all of them started assaulting him, during which one of the assailants inflicted a knife blow on his foot. Thereafter, the complainant returned home and was taken to the hospital by his family members. On the basis of his statement, the present FIR came to be registered. During investigation,



accused Shivam @ Prince, Monu and Sumit @ Jehri were arrested on 18.10.2022 and interrogated. It is alleged that pursuant to his disclosure statement, the present petitioner got recovered a spring-actuated knife allegedly used in the commission of the offence, whereas co-accused Monu got recovered the motorcycle allegedly used in the occurrence. The injured/complainant suffered four injuries, out of which injuries No.1, 2 and 4 were declared dangerous to life, whereas injury No.3 was opined to be simple in nature. After completion of investigation, challan was presented before the competent Court.

3. Learned counsel for the petitioner has argued that the petitioner has been in custody for the last about three years and six months and the trial is progressing at a slow pace. It is further contended that co-accused Sumit, Govind and Suraj have already been granted the concession of regular bail. Learned counsel submits that the complainant/injured Bunty, who has been examined as PW-3, has not supported the case of the prosecution and has categorically deposed on oath that an altercation had taken place between him and six boys and during the said altercation, one of the boys inflicted a knife injury on his stomach. However, he specifically stated that the accused persons present in the Court were not the same persons who had caused injuries to him and thus, the present petitioner has not been identified by the star prosecution witness. On the strength of the aforesaid circumstances, prayer has been made for grant of regular bail to the petitioner.

4. Per contra, learned State counsel has opposed the prayer for bail on the ground that serious allegations have been levelled against the petitioner. It is submitted that the injured had suffered four injuries, out of



which injuries No.1, 2 and 4 were declared dangerous to life, whereas injury No.3 was opined to be simple in nature. It is further argued that the petitioner had actively participated in the occurrence and was present at the spot and, therefore, he does not deserve the concession of regular bail.

5. This Court has heard learned counsel for the parties and perused the record. Admittedly, the petitioner has remained in custody for the last about three years and six months. Co-accused Sumit, Govind and Suraj have already been granted regular bail. More importantly, the complainant/injured Bunty, who appeared as PW-3, has turned hostile and has categorically stated before the trial Court that the accused persons present in Court, including the present petitioner, were not the persons who had inflicted injuries upon him. Thus, the testimony of the star witness does not presently support the prosecution case. The trial is still underway and conclusion thereof is likely to take considerable time as other prosecution witnesses are yet to be examined. Without commenting upon the merits of the case, this Court deems it appropriate to allow the present petition.

6. Accordingly, the petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. However, it is clarified that nothing observed herein shall be construed as an expression on the merits of the case.

8. All pending applications, if any, also stand disposed of.

28.04.2026

Anu

Whether speaking/reasoned

:

Whether reportable

:

Yes/No

Yes/No

(MANDEEP PANNU)

JUDGE