

2026:PHHC:066325



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.8271 of 2026

Rinku alias Bunty and another ... Petitioners

Versus

State of Haryana ... Respondent

1.	The date when the judgment is reserved	23.04.2026
2.	The date when the judgment is pronounced	30.04.2026
3.	The date when the judgment is uploaded on the website	30.04.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sandeep Kotla, Advocate,
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been jointly filed by the petitioners Rinku alias Bunty and Mohit alias Gandhi under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking

2026.PHHC:066325



concession of regular bail in case arising out of FIR No.327 dated 01.10.2025 registered under Sections 109(1), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and Section 25 of Arms Act, 1959 at Police Station Matlauda, District Panipat.

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a written complaint submitted by complainant Anil Kumar alleging that on the night of 30.09.2025, a marriage function was being celebrated in the house of his co-villager Sunil. The complainant along with his cousin brother Dinesh had joined that function. At about 8:15 PM, when both of them were standing in the street while watching the persons dancing in the marriage function, suddenly, the present petitioners reached there in a motorbike. The petitioner No.1 was carrying a pistol and pointed the same towards Dinesh. Within the sight of the complainant, petitioner No.2 caught hold of Dinesh from back side and the petitioner No.1 fired a shot thereby hitting his lips. Dinesh tried to save himself. The complainant also rushed for his rescue but the petitioner No.1 fired four more shots upon the victim Dinesh. Several persons gathered there in the meanwhile and then the assailants fled away while extending threats to them. The victim Dinesh was rushed to hospital and was provided treatment.

3. After registration of FIR, investigation proceedings were initiated. The petitioners were arrested on 01.10.2025. On interrogation, they suffered disclosure statements admitting their involvement in the crime. The

2026.PHHC:066325



petitioner No.1 got recovered the pistol used by him at the time of occurrence. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. A false recovery has been planted upon petitioner No.1. They are in custody since 01.10.2025. The grounds of arrest had not been intimated to them by the Investigating/Arresting Officer thereby violating their fundamental right. They are not required for further investigation. The trial will take considerable time to conclude. No useful purpose would be served by detaining them in custody. They are ready to abide by the terms and conditions to be imposed upon them. It is, therefore, urged that they deserve to be extended benefit of bail.

5. Per contra, learned Assistant Advocate General, Haryana has argued that the allegations against the petitioners are serious in nature. The petitioners are habitual offenders being involved in three more cases. There are chances of their absconding, intimidating the witnesses or committing similar offences, if extended benefit of bail. It is also submitted that grounds of arrest were intimated to the petitioners. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner No.1 is alleged to have fired several shots with a countrymade pistol upon the person of the victim Dinesh while the petitioner No.2 had caught hold of the victim. The victim had sustained firearm injuries which are obviously dangerous in nature. The allegations made out a

2026.PHHC:066325



prima facie case for commission of the subject offences as against the petitioners. However, they have been in custody for a period of about 7 months. The investigation stands concluded. The trial will obviously take considerable time to conclude. Though in the supplementary reply as filed by the respondent-State, it is submitted that the written grounds of arrest were intimated the petitioners but it is simultaneously admitted that no written grounds were available in the police file thereby showing that infact, grounds of arrest were not intimated to the petitioners in compliance of the ratio of law as laid down in ***Prabir Purkayastha v. State (NCT of Delhi), 2024 SCC Online SC 934; Vihaan Kumar v. State of Haryana, 2025 SCC Online SC 269*** and ***Mihir Rajesh Shah v. State of Maharashtra and another, AIR 2025 Supreme Court 5554***. Taking into consideration the above discussed facts, this Court is of the considered opinion that no fruitful purpose would be served if the petitioners are detained in custody any more. The well settled proposition of law is that bail is the rule and jail is an exception. Pre trial incarceration of an accused should not be a replica of post conviction sentencing. The detention prior to trial should not become punitive. Taking the above discussed facts into consideration, this Court is of the considered opinion that a case for release of the petitioners on bail is made out. Accordingly, the petition is allowed and the petitioners are ordered to be admitted to bail subject to their furnishing personal bonds as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and on the following conditions:-

2026.PHHC:066325



(i) The petitioners 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/her from disclosing such facts to the Court or to any Police Officer.

(ii) They shall not leave the country under any circumstance without permission of the learned trial Court.

(iii) They shall appear before the trial Court on each and every date fixed, unless is exempted by specific order of the Court.

(iv) They shall provide their permanent address as well as present address before the learned trial Court at the time of furnishing of bonds and shall not change the same without informing the trial Court.

(v) They shall also give copy of their Aadhar Card, PAN Card if any and details of their mobile phone number(s) to the learned trial Court at the time of furnishing of bonds and in case, any change in their mobile phone number takes place, then they shall inform about the same to the learned trial Court in advance and shall keep their mobile phone switch on all times.

(vi) They shall deposit their passport, if any, with the learned trial Court.



8. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.
9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

30.04.2026
manju

(MANISHA BATRA)
JUDGE

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