



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

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**CRM-M No.10815 of 2026
Date of decision : 12.3.2026
Date of uploading : 12.3.2026**

Anuj @ Annu AdhanaPetitioner
Versus
State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Keshav Pratap Singh, Advocate and
Mr. Tarun Kumar, Advocate, for the petitioner

Ms. Mahima Yashpal, Senior DAG, Haryana

Mr. D.S. Matya, Advocate, for the complainant

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 bearing FIR No.128 dated 25.03.2025, registered for the offences punishable under Sections 115, 126, 140(3), 190, 191(3), 324(4), 324(5), 351(2), 62, 115(2), 117(2), 126(2) and 109 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') Sections 115(2), 117(2), 126(2) and 109 of BNS added later on and Sections 115, 126, 324(5) of the BNS deleted later on), registered at Police Station City Sohna, District Gurugram.
2. The gravamen of the FIR in question is that injured/



complainant-Amar submitted his complaint stating that on 22.03.2025 at about 02:50 PM, while he was driving his car from his company and came onto the road, some persons travelling in two cars started following him. When he reached near Sohna Dhani Flyover, one of the cars intentionally rammed into his car with the intent to kill him. Immediately thereafter, 5–6 persons with muffled faces, armed with sharp-edged weapons, a pistol, iron rods, *lathis*, and *dandas*, approached his vehicle. One of them struck the front window of his car with an iron rod, causing it to shatter. During the incident, the cloth covering the face of one assailant slipped, and the complainant identified him as Mohit Adhana, who exhorted the others not to let the complainant survive and to kill him. All the assailants then forcibly pulled the complainant out of his car and attempted to push him into another vehicle with the intention of kidnapping and eliminating him. Fearing for his life, the complainant managed to escape and ran away from the spot. However, after covering a distance of about 200–250 meters, some of the assailants chased and caught hold of him again, threatening that if he tried to escape further, he would be shot dead. The assailants forced him to the ground and mercilessly assaulted him, causing multiple injuries. During the assault, the faces of the assailants were uncovered, and the complainant identified them as Sohith Adhana, Mohit Adhana, Anu Adhana, Prince, and Sagar Mavi (*petitioner herein*). Sagar Mavi was carrying a pistol, Mohit Adhana was armed with an iron rod, Sohith Adhana was carrying a sharp-edged weapon, while Anu Adhana and Prince were carrying iron rods. All the accused persons collectively



assaulted the complainant with their respective weapons, resulting in fractures on various parts of his body, including his legs. The assailants also snatched one gold chain and ₹15,000/- in cash from the complainant. Shortly thereafter, members of the public gathered at the spot, upon which all the accused persons fled away while issuing threats to the complainant and his family members of dire consequences.

3. Learned counsel has iterated that the petitioner is in custody since 6.4.2025. Learned counsel has further iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel for the petitioner has iterated that, assuming *arguendo*, the prosecution version is taken to be correct, the petitioner is attributed injury(s) on jaw. Learned counsel has further submitted that prime prosecution witnesses namely FIR-complainant Amar already stands examined and thus, there is no likelihood of the petitioner interfering with the evidence/prosecution witnesses. Learned counsel has further submitted that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has 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 11.3.2026 in Court, which is taken on record.

4.1 Learned counsel for the complainant has vehemently opposed the grant of bail by arguing that there are direct and serious allegations against the petitioner. Learned counsel has further argued that the



complainant has received multiple injuries and had also suffered permanent kidney damage on account of injuries given by the petitioner alongwith his co-accused. Learned counsel has further argued that the petitioner was the main conspirator and the main aggressor. Learned counsel has further argued that the complainant has specifically identified the petitioner as an assailant. Learned counsel has further iterated that the petitioner alongwith co-accused had inflicted multiple injuries to the complainant and left him presuming to be dead otherwise they would have even killed him.

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

6. The petitioner was arrested on 6.4.2025, whereinafter, the investigation was carried out and the challan has been presented on 19.6.2025. Total 32 prosecution witnesses have been cited, out of which, only 2 have been examined till date. It is not in dispute that prime prosecution witness, namely, FIR-complainant/injured-Amar already stands examined. It is, thus, indubitable that conclusion of the trial will take long time.

6.1 At this juncture, it would be apposite to refer herein to a judgment passed by the Hon'ble Supreme Court in ***Criminal Appeal No.2787 of 2024*** titled as ***Javed Gulam Nabi Shaikh vs. State of Maharashtra and another***, decided on 03.07.2024; relevant whereof reads as under:-

“19 If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental



right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime.

20. We may hasten to add that the petitioner is still an accused; not a convict. The over-arching postulate of criminal jurisprudence that an accused is presumed to be innocent until proven guilty cannot be brushed aside lightly. howsoever stringent the penal law may be.

21. We are convinced that the manner in which the prosecuting agency as well as the Court have proceeded, the right of the accused to have a speedy trial could be said to have been infringed thereby violating Article 21 of the Constitution.”

6.2 The rival contention raised at par give rise to debatable issues which shall essentially 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.

6.3 As per custody certificate dated 11.3.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 11 months and 6 days. As per the said custody certificate, the petitioner is stated to be involved in 5 more cases/FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of



regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

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/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.



- 7.1 In the interest of justice, it is directed that the instant order shall be read in respect of offence under Section 351 (2) of BNS as well.
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.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

12.3.2026
Ashwani

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