

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

2026:PHHC:037452



135

**CRM-M-10724-2026 (O&M)**  
**Date of decision: 11.03.2026**  
**Date of uploading: 11.03.2026**

**Mohit Yadav @ Chikkan**

**...Petitioner**

V/s

**State of Haryana**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Saurabh Chobey, Advocate for the petitioner.

Ms. Mahima Yashpal Singla, Senior DAG, Haryana.

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**SUMEET GOEL, J. (ORAL)**

1. Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in case bearing FIR No.161 dated 24.04.2025 registered for offences punishable under Sections 109(1), 190, 191(3), 115(2), 117(2), 351(3), 324(4) of BNS 2023 (Section 304 of BNS 2023 deleted later on), at Police Station City Narnaul, District Mahendergarh.

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

*“To The S.H.O. Sahib, Police Station City Narnaul,  
District Mahendragarh, Haryana. Subject: Complaint regarding  
legal action against the accused persons:*

*1. Rajat son of Sudip*

2. Kamal son of Kailash

3. Chikku son of Shravan Kumar 4. Jitender alias Jeetu son of Rajkumar

5. Uttam son of Balwant

6. Mohit alias Daku son of Vikas

7. Mohit alias Chikkan son of Ramsingh

8. Lucky son of Ratan

9. Jitesh alias Shampi son of Jaysingh

All residents of village Patikara, Tehsil Narnaul, District Mahendragarh, and 2-3 other boys whose names and addresses are unknown.

Sir,

My marriage took place on 16.01.2025, and on 14.01.2025 in the evening there was a Lagan (engagement) ceremony. On that day, Kamal son of Kailash along with his 7-8 associates came to the function and, with the intention of spoiling the ceremony, deliberately and without any reason picked a fight with me and my family members, abused us, and insulted us during the function.

Thereafter, on 16.04.2025, at night around 10:00 PM, after having dinner, I along with my three companions-Nitin son of Malkhan, Sandeep son of Mukesh, residents of village Patikara, and Gajraj son of Natthu Singh, resident of Railway Road, Narnaul-were walking from our house along the fields and the road towards Kadipuri, inspecting the fields and returning home. At that time, all the above-named accused persons arrived on three motorcycles:

Bullet motorcycle bearing registration number HR-35S-5105, Splendor motorcycle bearing registration number HR-35U-7210, and Apache motorcycle with registration number unknown.

They were armed with iron rods, iron pipes, iron bars, motorcycle chains, a motorcycle wheel fixed on an iron rod, and lathis/sticks. All of them suddenly attacked me shouting "Kill him, kill him."

Rajat son of Sudip first struck me on the head with an iron rod and then hit my right leg with the same rod.

*Thereafter, Kamal son of Kailash struck my left leg and then hit me on my back. Chikku struck my waist with an iron rod fitted with a motorcycle wheel. Jitender son of Rajkumar hit my right hand with an iron pipe. Uttam son of Balwant struck my left hand with an iron pipe. Mohit alias Chicken hit my right thigh and the lower side of my armpit with a motorcycle chain. Mohit alias Daku son of Vikas struck my waist with an iron bar. Lucky son of Ratan Singh and Jitesh alias Sampy son of Jaysingh also assaulted me with lathis and sticks. Seeing this fight and hearing my cries of "bachaoo- bachaoo" my friends who were coming behind me ran to the spot. Nitin son of Malkhan noted down the motorcycle number and, while seeing me being beaten, ran towards the village shouting for help. Gajraj and Sandeep raised loud cries for help. Hearing their shouts, some passersby and nearby people ran towards the spot. Seeing them, all the accused persons fled away with their weapons, openly threatening that "we have almost killed him; even if he survives, we will kill him and his companions."*

*My friend Nitin immediately brought a vehicle from the village, and I was lying in a serious condition. With the help of Nitin, Gajraj, Sandeep, and passersby, I was admitted to Civil Hospital, Narnaul.*

*My father, family members, and other relatives reached the hospital thereafter. After seeing my serious injuries, the doctor referred me to PGI Rohtak. My family then took me to G.K. Super Specialist Hospital, village Mei, from there to Park Hospital, Behror, and thereafter I was admitted to SDMH Hospital, Durlabh Ji, Jaipur, Rajasthan, where my treatment is ongoing.*

*During this incident, the accused persons also broke my iPhone mobile phone, and they snatched and took away my gold chain, which I had received in my marriage.*

*All the above-named accused persons, in connivance with each other and in a pre-planned manner, armed with iron bars, rods, pipes, and lathis, carried out a life-threatening attack upon me and left me presuming me to be dead. Had my friends Nitin, Gajraj, and Sandeep not been following me, they could have killed me and disposed of my dead body.*

*After the incident, while I was being taken to the hospital, I was unconscious. From Behror, after giving me blood, I was taken by ambulance to Durlabh Ji Hospital, Jaipur, where I was admitted in the ICU. Since then, I remained admitted in ICU. Now my condition has somewhat improved, therefore I am submitting this application regarding the said incident.*

*The above-named accused persons are criminals by nature and are habitual consumers and sellers of intoxicants. They are now coming to my house and threatening my family members with death, stating that if you or your son lodge any complaint with the police regarding this matter, you and your son will be killed. Therefore, for the protection of my life and property as well as that of my family, immediate legal action be taken against the accused persons and my snatched gold chain be recovered.*

*Hence, I humbly request that strict legal action be taken against the above-named accused persons, who are criminals by nature. I shall be highly obliged.”*

3. Learned counsel for the petitioner has submitted that the petitioner was initially arrested on 18.08.2025. Learned counsel appearing for the petitioner the petitioner has been falsely implicated into the FIR in question. Learned counsel appearing for the petitioner has further argued that the main accused namely Rajat, who has caused injury on the head of the complainant with the iron rod, has also been afforded the concession of regular bail by the concerned Sessions Court at Narnaul. Learned counsel appearing for the petitioner has further contended that from the factual milieu of the case in hand, the offence under Section 109 of BNS 2023 (erstwhile Section 307 of IPC) is not made out. Learned counsel appearing for the petitioner has further contended that the petitioner has suffered incarceration for more than 6 months. Thus, regular bail is prayed for.

4. Learned State counsel has vehemently opposed the present petition by arguing that the allegations raised are serious in nature and,

hence, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 10.03.2026 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. It is not in dispute that the petitioner came to be arrested on 18.08.2025 whereinafter investigation was carried out and challan was presented on 24.11.2025. Total 17 prosecution witnesses have been cited and out of which none has been examined till date. It is, thus, indubitable that conclusion of the trial will take long. The rival contentions raised at Bar give rise to debatable issues; including the culpability of the petitioner as also when the offence under Section 109 of BNS 2023 (erstwhile Section 307 of IPC) is made out; shall be gone into 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.

As per the custody certificate dated 10.03.2026 filed by the learned State counsel, the petitioner has suffered incarceration for 6 months & 22 days and is shown to be involved in two other cases/FIRs. 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, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

7. In view of the above, the present petition is **allowed**. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned 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.

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

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)  
JUDGE

March 11, 2026  
Naveen

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