



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

Sr. No.212

CRM-M-11856-2026
Date of Decision: 28.04.2026

ROHTASH @ KALUWA

...Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Neeraj Sansaniwal, Advocate and
Mr. Sumer Khod, Advocate
for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier Section 439 Cr.P.C.) filed for grant of regular bail to the petitioner in case FIR No. 420 dated 27.08.2025, registered under Sections 109(1), 238(b), 3(5) and 61 of the Bharatiya Nyaya Sanhita, 2023 (earlier Sections 307, 201, 34 and 120-B of the Indian Penal Code) and Section 25 of the Arms Act, at Police Station Bhiwani Sadar, District Bhiwani, Haryana.

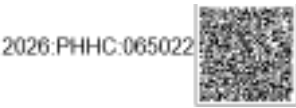
2. In brief, the prosecution case is that the FIR was lodged on the complaint of Bijender, a salesman at a liquor shop in village Mandhana. He alleged that on 27.08.2025, he received a threatening call from Ravinder, asking him to shut down the liquor shop or face consequences. Later that evening, two unidentified youths arrived on a motorcycle at the shop, and one of them fired multiple shots at the complainant with intent to kill. While



the complainant escaped unhurt, a customer, Rohtash, sustained a gunshot injury to the head. On the basis of this statement, the FIR was registered and investigation commenced. During investigation, the applicant-accused was arrested on 30.10.2025 and has been in custody in District Jail, Bhiwani since then.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and has been nominated only on the basis of the disclosure statement of co-accused Vikas. It is argued that co-accused Vikas, on whose disclosure statement the petitioner came to be nominated, has already been granted the concession of bail. Learned counsel further submits that the only recovery allegedly effected from the petitioner is of an illegal country-made pistol purportedly used in the commission of the crime. It is also argued that PW-1 Bijender, who is the complainant and a material prosecution witness, has already been examined before the trial Court and has not supported the case of the prosecution and was declared hostile. Learned counsel submits that the petitioner has been in custody for the last about five and a half months and, therefore, he deserves the concession of regular bail.

4. On the other hand, learned State counsel, assisted by learned counsel for the complainant, Mr. Abhijayant, Advocate, who has appeared and filed his vakalatnama, has opposed the present petition, submitting that serious allegations have been levelled against the petitioner. It is argued that pursuant to his disclosure statement, the petitioner got recovered the illegal country-made pistol allegedly used in the occurrence and, therefore,



considering the gravity of allegations, he does not deserve the concession of regular bail.

5. I have heard learned counsel for the parties and perused the record. Admittedly, co-accused Pradeep and Vikas have already been granted the concession of bail. The petitioner has been nominated only on the basis of the disclosure statement of co-accused Vikas, who is already on bail. It is also not disputed that PW-1 Bijender, who is the complainant and the most material witness in the present case, has already been examined and has not supported the prosecution case. Rather, he has categorically stated before the trial Court that the accused present in Court were not the persons who had fired shots at the shop. In such circumstances, the continued incarceration of the petitioner would serve no useful purpose, particularly when the trial is likely to take time to conclude. 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 and 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

(MANDEEP PANNU)
JUDGE

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