



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

235-4**CRM-M-13207-2026****Date of decision : 21.04.2026****Date of uploading : 21.04.2026****Jarrar Khan****.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Arshad Khan, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

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 FIR No.252 dated 11.07.2025 under Sections 191(3), 190, 115, 118(1), 140(3), 281, 125, 324(4) of BNS and Sections 191(3), 115, 118(1) of BNS were deleted later on) and Sections 193(3), 115(2), 126(2), 117(4), 140(4) of BNS added subsequently and Section 25 of Arms Act, registered at Police Station Sadar Nuh, District Nuh.

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

"To, The Station House Officer, Police Station Sadar Nuh, District Nuh. Subject: Application against Sumeri, Arif, Wasim sons of Sumeri; Asif, Rahis, Nafees sons of Arif; residents of village Palla, Police Station Sadar Nuh and 7-8 other persons regarding forcibly kidnapping and attempting to commit murder and request for legal action. Sir, it is respectfully submitted that the applicant Mehboob son of Jameel Ahmed, resident of Nizamuddin, New Delhi, presently residing in village Palla,



Police Station Sadar Nuh, District Nuh, states that I have opened Jamia Assalihat Islarnic Madrasa in village Palla to provide religious education to girls. On 06.07.2025, the above accused persons jumped over the main gate of the madrasa, broke the latch of the gate and forcibly entered inside and carried out a life-threatening attack on my brother Abdul Hafeez and other family members. A complaint regarding this was made to the police, and after receiving information I also reached the madrasa. On 07.07.2025, at about 3:00 PM, I was going to Police Station Sadar Nuh sitting on the back seat of the motorcycle of Mukim son of Murad, resident of village Sadai. When we reached near the house of the Director of Waqf Engineer College, the accused persons Sumeri, Arif, Wasim sons of Sumeri; Asif, Rahis, Nafees sons of Arif and 7-8 other persons were already sitting there with motorcycles and a camper jeep after laying an ambush as part of a criminal conspiracy. They rammed their camper vehicle directly into our motorcycle with the intention to kill us, due to which we fell on the ground. The accused threatened us saying: "You will now face the consequences of giving an application to the police; today we will not leave you alive." The camper vehicle was being driven by Wasim, and Sumeri, Arif son of Sumeri, Asif, Rahis, Nafees sons of Arif were sitting in the camper. Some other accused were riding motorcycles. All the accused got down from the vehicles and launched a life-threatening attack on me. They beat me with sticks (lathi), wooden rods and iron rods with the intention to kill me. Accused Wasim placed a pistol on my head and forcibly, along with the other accused, put me inside the camper vehicle and took me towards an isolated place west of the village. The other accused riding motorcycles also followed them there. At that place, all the accused Sumeri, Arif, Wasim sons of Sumeri; Asif, Rahis, Nafees sons of Arif and others beat me severely with sticks and iron rods on my hands, legs, stomach, chest, waist and spine. Arif hit my right hand with an iron rod, Wasim hit my left hand with a stick, Sumeri hit my right leg with a stick. The accused forcibly snatched *22,000 from me. Thereafter, thinking that I had died, they threw me into the fields. The mobile phone kept in my pocket was used by Mukim, who informed the police and my family. Upon receiving the information, my family member Suhel was coming towards the spot in his Echo car, but the accused hit his vehicle with their camper and damaged it, dragged him out and beat him badly. My relative Rahis son of Akram, resident of village Singar, was also coming from the madrasa towards the spot, and he too was seriously beaten, and the accused forcibly snatched the silver chain from his neck. After some time the police reached the spot, searched for me and recovered me, and admitted me to Civil Hospital Nuh. From there, due to serious injuries, I was referred to Medical College Nalhar Sir, we had earlier been residents of village Mirpur, Police Station Hathin, and only a few years ago we came and started living in village Palla, whereas the accused persons are permanent residents of village Palla and are of criminal nature, against whom many serious criminal cases are already registered. Because of the accused persons, there is a threat to the life and property of me, my family, and the children studying in the madrasa. Therefore, it is requested that case be registered against the accused persons and strict legal action be taken, the other accused be identified, and our life and property be protected. Date: 10.07.2025d/- Applicant Mehboob Son of Jameel Ahmed Resident Village Palla, PS Sadar Nuh, District Nuh Mobile: 9654453458. Police Action Today I, ASI, present at Police Post Nalhar, received from MC Police Post Nalhar Application No. 31-5D dated 11.07.2025 submitted by Mehboob son of Jameel Ahmed resident of Palla, along with MLR No. SH/353/2025 dated 07.07.2025 of Mehboob and MLR No. SH/357/2025 dated 07.07.2025 of Rahis son of Aslam. In MLR No. SH/353/2025, the doctor noted 9 injuries on Mehboob, Injuries No. 1-8 Advice Orthopedic opinion, Injury No. 9 Advice Surgery opinion, all



injuries blunt in nature. In MLR No. SH/357/2025, the doctor noted two injuries on Rahis: Injury No. 1 - Sharp weapon, Injury No. 2- Blunt weapon. Opinion of the doctor will be obtained regarding attempt to murder mentioned in the complaint. From the complaint and the MLR findings, the offence under Sections 191(3), 190, 115(2), 118(1), 140(3), 281, 125, 324(4) BNS and Sections 25-54-59 Arms Act is found to be made out. Therefore, the written complaint is being sent through SPO Mukut Singh No. 841/Nuh to the police station for registration of the case. After registration, the case number be informed and special report of the case be sent to the Area Magistrate and senior officers as per rules: I, along with Constable Amit Kumar No. 402/Nuh, am proceeding to the place of occurrence. Sd/- ASI Arun Police Post Nalhar Police Station Sadar Nuh Date: 11.07.2025. Later, upon receipt of the written complaint at the police station, FIR No. 252 dated 11.07.2025 under Sections 191(3), 190, 115(2), 118(1), 140(3), 281, 125, 324(4) BNS and Sections 25, 54, 59 Arms Act was registered at Police Station Sadar Nuh and copies of the FIR were prepared through the CCTNS computer system and sent to the Area Magistrate and senior officers. The original complaint along with police file is being sent to the Investigating Officer through SPO. Note: The above case was registered in the presence of SI Inderjeet No. 07/Nuh."

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 09.08.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the prime prosecution witnesses have turned hostile, and thus the trial is not likely to culminate into conviction. Learned counsel has further iterated that the petitioner has suffered incarceration for more than 8 months. Thus, regular bail is prayed for.

4. Learned State counsel has filed reply by way of an affidavit dated 20.04.2026, in the Court today, which is taken on record. Copy thereof has been furnished to learned counsel for the petitioner. Raising submissions in tandem with the said reply, 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 19.04.2026 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. The petitioner was arrested on 09.08.2025 wherein after investigation was carried out and challan *qua* the petitioner stands presented on 12.09.2025. Total 20 prosecution witnesses have been cited, out of which only 5 have been examined till date. It is, thus, indubitable that culmination of trial will take its own time. The rival contentions; including the veracity/weightage required to be attached to the testimony of the hostile witnesses; shall 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.

6.1 As per custody certificate dated 19.04.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 8 months and 10 days, & is not shown to be involved in any other FIR(s).

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, if not required in any other case, 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/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. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

21.04.2026
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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No