



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

Sr. No.277

**CRM-M-16510-2026
Date of Decision: 01.05.2026**

MOHIT

...Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Aditya Sanghi, Advocate and
Mr. Surender Singh and Mr. Saurabh Sharma, Advocates
for the petitioner.

Mr. Vaibhav Sharma, AAG, Haryana.

Mr. Ashish Rana, Advocate
for the complainant.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (akin to Section 439 Cr.P.C.) for grant of
regular bail to the petitioner during the pendency of trial in case FIR No. 284
dated 20.08.2025, registered under Sections 103(1), 115, 117(2), 126, 190,
191(3), 351(3) and 61 of the BNS, 2023 at Police Station Matlauda, District
Panipat, Haryana. The challan against the petitioner and other co-accused
has been presented under Sections 103(1), 115, 126, 351(3) and 61 of the
BNS, 2023 and Sections 25/27 of the Arms Act, 1959, and charges have
been framed by the learned trial Court under Sections 103(1), 115, 126, 61



and 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of the Arms Act, 1959.

2. Briefly, the case of the prosecution is that on 19.08.2025 at about 8:19 PM, Brahmpal, uncle of the complainant Ravi, received a telephonic threat from the petitioner Mohit that he would kill his entire family. Thereafter, at about 9:20 PM, the petitioner along with co-accused Ashish, Ashwin, Jony and Rohit allegedly came to the liquor vend armed with weapons and raised threats. The complainant along with Monu chased them, and near the canal, the accused persons allegedly attacked them, during which co-accused Rohit inflicted knife blows upon Monu, while the present petitioner Mohit along with co-accused Ashish allegedly caught hold of the deceased. Monu subsequently succumbed to the injuries.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case and the role attributed to him is limited and materially less grave than that assigned to co-accused Rohit. It is submitted that even as per the FIR, the only allegation against the petitioner is that he, along with co-accused Ashish, allegedly caught hold of the deceased Monu near the canal, whereas the specific and fatal knife blow on the chest of the deceased is attributed exclusively to co-accused Rohit. Thus, no overt act of inflicting any injury with a weapon has been assigned to the petitioner. It is further argued that no weapon has been recovered from the petitioner and as per the final report, the alleged knife used in the occurrence was recovered only at the instance of co-accused Rohit. It is submitted that the case against the petitioner



primarily rests upon the FIR version, alleged disclosure statements and call detail records, which are weak pieces of evidence and are matters to be tested during trial. Learned counsel has also submitted that there are material contradictions in the prosecution case. As per the FIR, the petitioner is alleged to have been present at the spot, however, the statements of the eyewitnesses recorded during investigation suggest a different version, wherein the petitioner has been projected as a conspirator and not as a person present at the place of occurrence. These inconsistent versions clearly demonstrate that the petitioner has been falsely implicated. It is further contended that a large number of persons were initially named in the FIR, however, six of them were found innocent during investigation, which shows that the prosecution version has been substantially diluted. It is also submitted that as per the video of injured/witness Nitin alias Neetu recorded at the hospital, only two accused persons were stated to be present at the place of occurrence, which further weakens the case against the petitioner. On the basis of the aforesaid submissions, it is argued that there is no substantive evidence against the petitioner and he deserves to be released on bail.

4. On the other hand, learned State counsel with the assistance of learned counsel for the complainant has opposed the prayer for grant of regular bail and submitted that serious allegations have been levelled against the petitioner. It is contended that the petitioner is the main conspirator and instigator of the occurrence, who had hatched the plan and remained in continuous coordination with the co-accused persons before and after the



incident. It is further submitted that there is sufficient material on record, including call detail records, which establish connectivity between the petitioner and co-accused at the relevant time. It is also argued that there is a video clipping relating to the occurrence, which forms part of the investigation. Learned State counsel has further submitted that a custody certificate has been produced, which shows that the petitioner has undergone custody for a period of about eight months. It is also contended that the trial is at an initial stage and all material witnesses are yet to be examined. On these grounds, it is prayed that the present petition be dismissed.

5. I have heard learned counsel for the parties and have gone through the record of the case. The allegations against the petitioner are grave and serious in nature. As per the prosecution case, the petitioner is not merely a passive participant but has been attributed the role of main conspirator, who orchestrated the occurrence and remained in constant touch with the co-accused persons. The material collected during investigation, including call detail records, *prima facie* indicates his involvement. Further, the existence of a video clipping of the incident lends support to the prosecution version at this stage. The case is still at an initial stage and the material witnesses are yet to be examined. In such circumstances, there is a reasonable apprehension that if released on bail, the petitioner may influence the witnesses or tamper with the prosecution evidence.

6. Considering the seriousness of the allegations, the nature of accusation, and the role attributed to the petitioner, this Court is not inclined to grant the concession of regular bail.

7. Accordingly, the present petition is dismissed.
8. However, it is clarified that nothing observed hereinabove shall
be construed as an expression on the merits of the case.
9. All pending applications, if any, also stand disposed of.

01.05.2026
Anu

(MANDEEP PANNU)
JUDGE

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