



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
213

CRM-M-16417-2026
Decided on : 01.04.2026

Ashish @ Gogi and another . . . Petitioner(s)
Versus
State of Haryana and others . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Partap Singh, Advocate and
Mr. Manav Sharma, Advocate, for the petitioner(s).

Mr. Amish Sharma, AAG, Haryana.

Ms. Santosh Bhardwaj, Advocate
for respondents No.2 to 4.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Ashish @ Gogi and Kallu @ Kallu Awana	327	20.10.2025	109(1), 190, 191(2), 351(2), 61(2) of BNS, 2023 (307, 148, 149, 506, 120-B of IPC) and 25/54/59 of Arms Act	Saran	Faridabad

2. FIR in the present case was got registered by complainant – Vansh Rathi (respondent No.2 herein) and same reads as under:-

“ It is requested that I, Vansh Rathi son of Shri Hawa Singh Rathi, resident of House No.25, Nagla Enclave Part-1, Gali No.1, near laxmi Narayan Vatika. My elder sister Hema Rathi



was married on 20.02.2020 to Ashish son of Rambabu (SI), resident of Nagla- Ghaziapur Road, Sat Sahib Medical Store, Part-11. On 18.10.2025, my sister Hema called me and told that her husband Ashish had quarreled without reason, upon which, considering it a family matter, we went to explain to my sister and her in- laws. As there was festival and the quarrel appeared to be because of that, we explained and returned to our home. On 19.10.2025 at about 9:00 PM, Hema again called and said that my husband Ashish and my father-in-law Rambabu (SI) are abusing me and threatening to throw me out of the house. Upon this, I along with my elder brother Robin and my father reached my sister Hema's matrimonial home at Nagla Enclave Part-11. There we found that Ashish, his friends Bhura, Vikram Awana, Kallu Awana, Monu, Sushil, Rocky and about 15-20 other boys were already standing prepared with sticks and weapons in their hands. As soon as we reached there, all of them gathered together and started abusing and assaulting us. During this, my brother was shot with a country- made pistol. Ashish assaulted me and pushed my father. While I and my father were leaving from there to get my brother treated, Hema's father-in-law Rambabu (SI) threatened from behind saying, "Take your sister away from here, otherwise we will kill her as well." Thereafter, I and my father got my brother Robin admitted to Metro Hospital for treatment. It is requested that strict legal action be taken against all the above-named accused persons. Yours faithfully, Sd/- Vansh Rathi, Mobile No. 9560758026, 8506064002, 20/10/2025. Police Proceedings: On dated 20.10.2025, I, ASI Rakesh, along with Constable Mohit No. 1573, while present in the police post area on night patrol in a govt. vehicle, received a rukka from PP Sector-16, Faridabad stating that Robin son of Hawa Singh, resident of Nagla Enclave Part-1, NIT Faridabad, had been injured due to a gunshot in a quarrel and admitted in Metro Hospital, Sector-16,



Faridabad. I/O be sent for investigation. Upon receiving this information, I along with Constable Mohit reached PP Sector-16, Faridabad. From there, the rukka regarding the injured Robin was received and we reached Metro Hospital. MLR No. LC/191025/2 dated was 19.10.2025 of injured Robin Saran obtained, in which the doctor recorded a total of three injuries. Injury No. 1: Penetrating wound over left flank region, round in shape, tattooing present around the wound, Injury No. 2: Tram-track like bruise, red in colour, present on the back left to the spinal cord around the 10th rib region and Injury No. 3: Tram-track like bruise, red in colour, on the left arm. Opinion of the doctor regarding the condition of the injured was sought, the doctor declared the injured fit for statement, expressed injured the but his inability Robin give to a statement. The eyewitness Vansh, brother the injured, presented of complaint before me, a written the ASI. From the contents of the complaint and the MLR, offences under Sections 191(2), 190, 109(1), 351 (2) BNS and 25/54/59 Arms Act were found to be made out. Accordingly, this report was sent through Constable Mohit No. 1573 to the Police Station for registration of the case. After registration of the case, information be conveyed and a special report be sent to the Area Magistrate and senior officers. I at ASI, along with the complainant, proceeded to the place of occurrence. Today Metro Hospital, Sector-16, Faridabad. Sd/ Rakesh, ASI, PP Parvatiya Colony, PS Saran, Faridabad. Dated: 20- 10-2025.”

3. Learned counsel for the petitioners argues that it was a family dispute, in which complainant – Vansh Rathi was called by his sister – Hema Rathi at her matrimonial home, on account of some quarrel with her in-laws. Admittedly, it was the complainant party, who had reached the matrimonial house of Hema Rathi, who was married to petitioner No.1 – Ashish @ Gogi.



During the scuffle at the said place, co-accused Raj Kumar, who is a friend of petitioner No.1, allegedly used a firearm, and firearm injuries were suffered by respondent No.3 – Robin Rathi.

It is further submitted that the injured has now been discharged from the hospital and the dispute between both the sides, i.e., the injured/victims and the accused party, has already been resolved by way of settlement.

In this regard, learned counsel for the petitioners relies upon the statements dated 13.03.2026, recorded before the Court of learned Additional Sessions Judge, Faridabad, by respondents No.2 to 4, i.e., Vansh Rathi, Robin Rathi, and Sh. Hawa Singh Rathi, respectively, to the effect that they have compromised the matter with all the accused, including Kallu @ Kallu Awana, for the larger interest of the families, as petitioner No.1 – Ashish @ Gogi is the son-in-law (Damad) of the complainant's family. It has also been stated that they have no objection if the petitioners are released on bail.

Certified copies of the statements dated 13.03.2026, produced by learned counsel for the petitioners, are taken on record. Office to tag the same at the appropriate place.

4. Apart from this, learned counsel for the petitioners submits that a compromise petition for quashing of the FIR in question has already been filed by all the accused/victims/complainants, i.e., CRM-M-11789-2026, which is pending adjudication before this Court for 06.04.2026. Thus, it is submitted that further detention of the petitioners inside the jail for any longer period would not serve any meaningful purpose, rather, it would be in



the interest of justice, as the dispute between the two families has already been resolved.

Additionally, it is submitted that none of the petitioners herein have been attributed any role of causing firearm injury, which, in fact, has been attributed to co-accused Raj Kumar.

5. *Per contra*, learned State counsel submits that though, there may be a compromise between the parties, however, it being a case of attempt to murder attracting provisions of Section 109 of BNS, 2023, no leniency should be shown while considering the prayer for grant of bail. However, learned State counsel does not dispute the fact that none of the petitioners have been attributed the role of using any firearm, and it is also not clear as to what specific injuries, if any, have been attributed to the present petitioners.

6. I have heard learned counsel for the parties and gone through the record with their able assistance, including the compromise deed dated 20.02.2026 (Annexure P-1), affidavits dated 20.02.2026 (Annexures P-2 to P-4), and the statements dated 13.03.2026 made by respondents No.2 to 4 before the learned Additional Sessions Judge, Faridabad, wherein the factum of compromise has been duly endorsed. Moreover, they have stated that they have no objection, if the petitioners are granted concession of bail.

7. Considering the totality of the circumstances and the fact that the matter has been amicably resolved between the parties, this Court deems it appropriate to extend the concession of regular bail to the petitioners.

Consequently, prayer made in the present petition is **allowed**.

Petitioners are ordered to be released on bail, subject to their furnishing



bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. It is further made clear that if, in future, petitioners are found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

11. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

April 01, 2026

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*