

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

176

CRM-M-21166-2025
Decided on : 25.03.2026

Himanshu

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Abhijeet Chaudhary, Advocate
for the petitioner(s).

Mr. Pawan Kumar Jhanda, Sr. DAG Haryana

Mr. Rakesh Dhiman, Advocate
for the complainant

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 petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Himanshu, aged 26 years	205	23.05.2024	307, 364 and 120-B IPC and Section 25(1) of Arms Act,	Sector-5	Gurugram

2. As per allegations in FIR, the incident in question took place on 23.05.2024 and complainant-Satish Kumar got recorded the version, which reads



CRM-M-21166-2025

2

as under:

"I have two sons, elder is Vipin and younger to him is Vivek who is 22 years old and is doing an English Speaking course. We are 5 brothers and 3 sisters. After my father's death, before passing away my mother Late Atro Devi had partitioned the residential house in equal shares. But my elder brother Kuldeep and his son want 2 feet (gaz) of my share in their front. Regarding which panchayat was held many times and in the last panchayat it was held that I would give 5 lacs to Kuldeep and his son Himanshu in exchange of this 2 feet front. But after panchayat he started asking for 25 lacs. I was not capable of giving 25 lacs. Due to which Kuldeep and his son Himanshu started keeping a grudge with me and my son. Due to this grudge, Himanshu and his friend beat me on 16.05.2023, regarding this a case is going on in court. Today, dated 23.05.2024, when my son Vivek was coming back from gym around 10/10:15 on his bullet DL-8SCV-5361, Himanshu son of Kuldeep and his friend whose name I don't know shot my son Vivek in his chest, waist and left arm multiple times on the asking of Kuldeep son of Harikishan due to the fight over land. On receiving the information about the shooting, I took my son Vivek to Aryan Hospital in a wounded state, from there I brought him to Medanta Hospital on their reference. Himanshu and his friend shot my son on asking of Kuldeep. Legal action be taken against them. Himanshu has already been to jail in some murder case. Kuldeep had told my wife last month that he would spend 5 lacs and get weapons and get my whole family killed. SD Satish Kumar."

3. It is being argued that both the parties are in family relations and incident took place due to share in the property. As per allegations, on asking of Kuldeep, who is father of present petitioner, he fired gun shots upon injured-Vivek.

4. Learned counsel for the petitioner argues that petitioner is inside jail

**CRM-M-21166-2025****3**

since 31.08.2024 and statement of all material witnesses namely complainant-Satish Kumar as PW-5 and injured-Vikek as PW-6 have already been recorded including conducting of their cross-examination. Learned counsel produces copy of statements of both aforementioned witnesses and same are taken on record.

It is also submitted that apart the present case, one more case is pending against the petitioner, however, i.e. under Section 323, 34 and 452 IPC and in another case, petitioner already stands acquitted, therefore, submits petitioner not being habitual criminal, committing any crime against society and statements of the witnesses have already been recorded in the present case, can not be detained in jail for indefinite period, primarily for the reason that conclusion of the process of recording of statement of all witnesses, who are 24 in total would definitely take a long time.

5. On the other hand, learned complainant's counsel submits that petitioner had caused fire shots in the greed of 02 sq. yard area and therefore, looking at the conduct, he does not deserve any leniency for considering the plea of bail. However, leaned State counsel is not in a position to dispute the fact that statement of complainant and injured Vivek have already stand recorded before the trial Court.

6. This Court heard the submissions addressed by learned counsel for the parties and has carefully perused the record available before it.

7. In view of the totality of circumstances stated here above, this Court deems it appropriate to consider the plea of bail of the petitioner.

8. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety

bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/



CRM-M-21166-2025

4

Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
10. The observation made here-in-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.
11. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.
12. Petition stands disposed of.

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

March 25, 2026

(SANJAY VASHISTH)
JUDGE

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No