



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

Sr. No.225

CRM-M-21393-2026  
Date of Decision: 24.04.2026

SUNIL KUMAR AND ANOTHER

...Petitioners

Versus

STATE OF HARYANA

....Respondent

**CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU**

Present:- Mr. J.S. Jaidka, Advocate  
for the petitioners.

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**MANDEEP PANNU, J. (Oral)**

1. This is a petition under Section 483 of the BNSS, 2023 (corresponding to Section 439 Cr.P.C.) for the grant of regular bail to the petitioners in case bearing FIR No. 270 dated 30.12.2025, registered under Sections 109(1), 190, 191(2), 324(5), 331(6), 351(3), 61(2) of the BNS, 2023 (corresponding to Sections 307, 149, 147, 427, 458, 506 and 120-B IPC) and Section 25 of the Arms Act, 1959, at Police Station Bhattu Kalan, District Fatehabad.

2. Brief facts of the case are that the present FIR was registered on the complaint of Kuldeep, who alleged that on the intervening night of 29/30.12.2025 at about 1:30–2:00 A.M., several accused persons came to his house in vehicles, armed with sticks, iron rods and pipes. They allegedly damaged the gate, windows and vehicles parked outside the house and also fired gunshots with an intention to kill, though no one was hit. On hearing the noise, family members and neighbours gathered, upon which the accused



fled away. During investigation, statements of witnesses were recorded and the petitioners were arrested.

3. Learned counsel for the petitioners has argued that in the present case, although the FIR has been registered under Section 307 IPC/Section 109(1) BNS, the injured has not received any gunshot injury and the only allegations are that co-accused Shamsher and Manjeet fired shots but did not hit anybody. The role attributed to the petitioners is that they were part of a criminal conspiracy in pursuance to which co-accused criminally trespassed into the house of the complainant and some of the accused were armed with deadly weapons and allegedly attempted to cause death by firing gunshots in the air and by damaging the house. It is thus a case of no injury. The petitioners have been implicated on the basis of disclosure statement of co-accused Ajay and due to personal enmity they have been falsely roped in. It is further submitted that charges are yet to be framed, both the petitioners are in custody for the last three months and 14 days and conclusion of trial is likely to take time; therefore, no useful purpose would be served by keeping them behind bars and they deserve to be released on bail.

4. Notice of motion.

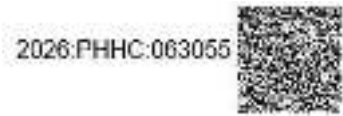
5. On the asking of the Court, Ms. Jasmine Gill, AAG, Haryana accepts notice on behalf of the State and has opposed the bail application. It is argued by learned State counsel that serious allegations have been levelled against the petitioners. They formed part of an unlawful assembly and shared a common criminal conspiracy in pursuance to which the co-accused criminally trespassed into the house of the complainant and fired shots. It is



submitted that the accused attempted to cause death by firing gunshots in the air and also caused damage to the house and property of the complainant. The petitioners have been nominated on the disclosure statement of co-accused, but they were present at the spot. However, it is fairly conceded that the petitioners are in custody for the last three months and 14 days and that charges are yet to be framed.

6. After hearing learned counsel for the parties and perusing the record, this Court finds that the role attributed to the present petitioners is limited in nature. They have been nominated primarily on the basis of disclosure statement of co-accused and no specific overt act of firing has been attributed to them. Even as per the prosecution case, though gunshots were allegedly fired, no person has suffered any gunshot injury, making it a case of no bodily injury. The allegations against the petitioners are that they were part of the alleged conspiracy and unlawful assembly, however, they are not stated to be the ones who fired the shots. The petitioners are in custody for the last three months and 14 days, the investigation stands completed and the challan has been presented, but charges are yet to be framed. The conclusion of trial is likely to take considerable time. In these circumstances, continued incarceration of the petitioners would serve no useful purpose. Without commenting on the merits of the case, this Court deems it a fit case for grant of regular bail.

7. Accordingly, the present petition is allowed and both the petitioners are ordered to be released on regular bail subject to furnishing adequate bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.



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

24.04.2026

Anu

Whether speaking/reasoned

Whether reportable

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Yes/No

Yes/No

(MANDEEP PANNU)  
JUDGE