



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
208

CRM-M-21114-2026
Decided on : 24.04.2026

Aman Kumar @ Kamau . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Angel Sharma, Advocate
for the petitioner(s).

Mr. Amish Sharma, AAG, Haryana.

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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Aman Kumar @ Kamau	304	12.09.2025	S. 109, 3(5), 111(4), 111(5), 238, 253, 308(4) of BNS, 2023 [corresponding S. 307, 201, 216, 387, 34 of IPC] and S. 25/29-54-59 of Arms Act, 1959	City Thanesar	Kurukshetra

2. A gist of allegations, as summed up by the trial Court, is reproduced here-under:-

“ The factual matrix of the present case is that the complainant Mohit Gupta moved an application to the police to the effect that he was posted as Manager at an immigration centre in the name and style of Chetanya Career (Consultant) near New Bus Stand, Kurukshetra. On 12.09.2025, at about 01.45 pm, two young men came on motorcycle, who had covered their faces and no vehicle number was mentioned on the



motorcycle. At that time, he was standing at the reception of the office and both the boys with an intention to kill him fired at the office and he and other employees got saved merely by chance. With these allegations, the complainant requested to take action against the accused.”

3. Learned counsel for the petitioner argues that the actual assailants, who were riding motorcycle and allegedly fired at the office of Chetanya Career (Consultant), where complainant – Mohit Gupta, was posted as Manager, were Rahul and Rajiv.

It is submitted that after their arrest, name of the present petitioner surfaced only on the basis of the disclosure statement of the already arrested accused and since then, the petitioner is inside the jail.

4. Learned counsel further submits that during investigation, neither any allegation nor any evidence surfaced showing direct involvement of the petitioner in the occurrence, except the allegation that he had provided shelter to the main accused - Rahul and Rajiv, who after the alleged occurrence dated 12.09.2025 at Kurukshetra, had gone to Kaithal bus-stand and from there, petitioner allegedly took them to his house for providing shelter.

It is argued that role attributed to the petitioner begins only after the occurrence, i.e. on 16.09.2025, when he allegedly took the main assailants to his house, where they stayed overnight. Accordingly, prayer has been made for grant of concession of regular bail.

5. On the other hand, learned State counsel has produced the custody certificate dated 21.04.2026 in Court today, which is taken on record. Office is directed to tag the same at the appropriate place.

A copy thereof has been handed over to learned counsel for the



petitioner.

6. Learned State counsel, while opposing the prayer for bail, submits that petitioner has been arrayed as an accused for other offences as well, on the allegation that he was a part of the conspiracy and had knowledge of the acts of the co-accused. It is further submitted that once the petitioner provided shelter to the principal assailants, his complicity in the crime can be assumed very well. Accordingly, prayer has been made for dismissal of the present petition.

7. I have heard learned counsel for the parties and perused the relevant material available on record with their able assistance.

8. This is not a case where any injury was caused to any person, though allegations of firing have been levelled against the principal assailants 'Rahul and Rajiv;. Admittedly, name of the present petitioner does not figure in the FIR and has surfaced subsequently on the basis of disclosure statements of the already arrested accused persons.

The principal allegation against the petitioner is that he had provided shelter to the assailants after the occurrence and far away from the place of incident. Whether such allegation would make the petitioner liable for all the substantive offences attributed to the main assailants is a debatable issue, which would require adjudication by the learned trial Court after appreciation of the evidence led by the parties.

It is also a matter of record that petitioner is inside the jail since 26.09.2025, i.e. for a period of about 06 months and 25 days, and trial is yet to commence. Therefore, further custodial detention of the petitioner is not likely to serve any meaningful purpose.



9. Accordingly, without commenting upon the merits of the case, and keeping in view the overall facts and circumstances, nature of allegations, period of incarceration already undergone, and the stage of trial, this Court deems it a fit case for grant of regular bail to the petitioner.

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

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

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

12. **Petition stands disposed of.**

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

(SANJAY VASHISTH)
JUDGE

April 24, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No