

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22430-2026

Date of Decision: 02.07.2026

DHURENDER DALAL @ DHRUV

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. Ankit Yadav, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Reetesh Kumar, Advocate for the complainant.

VIRINDER AGGARWAL, J. (Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 Cr.P.C.) seeking grant of regular bail to the petitioner in FIR No. 391 dated 07.09.2025 registered under Section 109 of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Section 307 IPC) and Section 3(5) of the BNS, 2023 (corresponding to Section 34 IPC) and Section 27 of the Arms Act, 1959, at Police Station City Palwal, District Palwal, Haryana (Annexure P-1), wherein Sections 109(1) and 61(2) of the BNS, 2023 (corresponding to Sections 307 IPC and 120-B IPC) and Section 25(1-B)(a) of the Arms Act, 1959 were added subsequently.

2. The prosecution case, as set out in the FIR, The present FIR was registered on the written complaint of Manvir, who alleged that on 06.09.2025, his son Abhishek along with his friends Harkesh, Chetan, Sagar and Sanjeev was present at Hotel Divine-2 near V-Om Restaurant, Palwal, where they were attending a party. It is alleged that at about 10:30 PM, Sahil

along with his friend Dhurender came to the hotel, where a verbal altercation took place between Sahil and Chetan, which escalated into a scuffle involving Dhurender and Chetan. It is further alleged that the matter was intervened by Abhishek and others, after which Sahil and Dhurender left the spot. It is further alleged that after some time, Dhurender returned to the hotel along with 5-6 other persons and during the said occurrence Chetan was beaten. It is further alleged that during the incident, a firearm was used and a gunshot was fired at Abhishek with an intention to kill him, resulting in a firearm injury to his stomach. On the basis of these allegations, the present FIR was registered.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is contended that the complainant is not an eye-witness to the alleged incident and the FIR has been lodged on the basis of hearsay information received from Bharat, friend of the injured. It is further submitted that there are material contradictions in the prosecution version as the complainant has alleged that the petitioner fired at the injured, whereas the injured himself in his statement under Section 161 Cr.P.C./180 BNSS has specifically stated that one Prince fired the gunshot and not the present petitioner.

3.1 It is further submitted that the petitioner has no role in the alleged occurrence and has been implicated only on suspicion. The investigation qua the petitioner is complete, the challan has been presented, charges have been framed and the petitioner is in custody since 09.09.2025. It is also submitted that the recovery, if any, has already been effected and the petitioner is not required for further investigation or custodial interrogation. It is further argued

that out of 23 prosecution witnesses, none have been examined so far and the trial is likely to take considerable time.

3.2 Learned counsel further submits that the petitioner is a young student and is not involved in any other criminal case, has never been declared a proclaimed offender, and there is no likelihood of his absconding or tampering with evidence. Accordingly, it is prayed that the petitioner be enlarged on regular bail.

4. Notice of motion.

5. Mr. Tanuj Sharma, learned Assistant Advocate General, Haryana, has put in appearance on behalf of the respondent-State and has filed the custody certificate dated 01.07.2026, which is taken on record, subject to all just exceptions. As per the custody certificate, the petitioner has already undergone a total custody period of 09 months and 23 days. Status report by way of additional affidavit of DSP, City Palwal, District Palwal on behalf of respondent/State of Haryana has been filed in Court today, which is also taken on record, copy of the same has been supplied to the counsel opposite.

6. Learned State counsel opposes the grant of regular bail to the petitioner and submits that the present case involves a serious offence under Section 109 BNS along with provisions of the Arms Act, wherein a firearm was allegedly used and a gunshot injury was caused to the injured. He further submits that the petitioner is specifically named and attributed a role in the commission of the offence along with co-accused persons, and the allegations disclose a grave and serious incident involving use of a firearm in a public place and the matter is still pending trial and the evidence is yet to be examined.

7. Be that as it may, considering the custody period already undergone by the petitioner, i.e. 09 months and 23 days as on date, and the fact that the investigation stands completed, the challan has been presented before the learned Trial Court and charges have already been framed, while none of the prosecution witnesses have yet been examined, it is evident that the trial is likely to take considerable time to reach its logical conclusion. Continued detention of the petitioner at this stage would serve no useful purpose.

8. Reliance is placed upon the judgment of the Hon'ble Apex Court in *Dataram Singh v. State of Uttar Pradesh & Another*, 2018 (2) R.C.R. (Criminal) 131, wherein it has been held that grant of bail is the rule and refusal thereof is an exception, and that a person is presumed to be innocent until proven guilty. It is further submitted that the right to speedy trial forms an integral part of the right to life and personal liberty guaranteed under Article 21 of the Constitution of India, and the same has been consistently recognised by the Hon'ble Supreme Court, including in *Balwinder Singh v. State of Punjab & Another* (SLO (CrI.) No. 8523/2024). In the present case, the trial is likely to consume considerable time before reaching its logical conclusion. In these circumstances, continued incarceration of the petitioner would serve no useful purpose, particularly when the trial can be effectively safeguarded by imposing appropriate conditions.

9. Accordingly, the present petition is allowed, and the petitioner is ordered to be admitted on regular bail, subject to furnishing requisite bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate

concerned/Illaqa Magistrate/Duty Magistrate, as the case may be, and further subject to the following conditions:-

1. The petitioner shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts before the Court or to the investigating agency.
2. The petitioner shall not tamper with the prosecution evidence in any manner whatsoever, nor shall attempt, directly or indirectly, to influence, intimidate, or contact any prosecution witness.
3. The petitioner shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court. In the event he is in possession of a passport, he shall furnish its particulars before the Investigating Officer as well as the learned Trial Court.
4. The learned Illaqa Magistrate/Duty Magistrate, before accepting the bail and surety bonds, shall obtain from the petitioner his permanent residential address as well as present correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours from the acceptance of the bail bonds and shall place a verification report on the record. In the event either of the addresses is found to be false, fictitious, or incorrect, it shall be open to the prosecution to seek cancellation of the concession of bail in accordance with law.
5. The petitioner shall furnish before the learned Trial Court, either at the time of furnishing the bail



bonds or within such period as may be specified by the Court, Permanent Account Number (PAN), Aadhaar Number, particulars of all operative bank accounts, and a declaration disclosing details of immovable properties, if any. Any concealment of material particulars or furnishing of false information shall constitute a valid ground for seeking cancellation of bail in accordance with law.

6. The petitioner shall intimate the Investigating Officer as well as the learned Trial Court, in writing, of any change in residential address or mobile number within seven days from the date of such change.

7. The petitioner shall not commit any offence of a similar nature during the pendency of the trial and shall remain present before the learned Trial Court on each and every date fixed, unless his personal appearance is exempted in accordance with law. He shall not absent himself from the proceedings without obtaining prior permission of the learned Trial Court. In the event of any violation of the aforesaid conditions or his unauthorized absence from the trial proceedings, it shall be open to the learned Trial Court to proceed in accordance with law, including cancellation of the concession of regular bail and issuance of appropriate coercive process, including warrants of arrest.

(VIRINDER AGGARWAL)
JUDGE

02.07.2026

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