

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:069583



245

CRM-M-24078-2026 (O&M)
Date of decision:05.05.2026

Ravi Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Satbir Singh Gill, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to him in case arising out of FIR No.616, dated 27.12.2025, registered under Sections 115(2), 118(1), 127(1), 190, 191(2), 191(3), 351(2) of the BNS (offences under Sections 118(2) and 61(2) of the BNS were added lateron), at Police Station City Sirsa, District Sirsa.

2. The aforementioned FIR was registered on the basis of statement got recorded by complainant – Vikasdeep, alleging therein that on 26.12.2025, he along with his friend Lovepreet @ Goru was standing outside his shop when accused Dara Singh, Akash and Sonu

accompanied by 5-6 other persons unknown to the complainant reached there in three motorbikes. All of them were armed with weapons. They opened an assault upon the complainant and his friend but they managed to flee to save themselves. Then at about 2:30 PM, when the complainant and his friend were making preparation to go to their house from the shop of Lovepreet @ Goru, the same persons reached there. They encircled the complainant and his friend and opened assault upon them. On clamour being raised, several persons had reached there and then the assailants fled away while extending threats to them. The injured were rushed to the hospital for treatment.

3. After registration of the FIR, investigation proceedings were initiated. During investigation, accused Avtar Singh was arrested. He suffered disclosure statement admitting his involvement in the crime and also took the name of the petitioner. The petitioner was nominated as an additional accused and was arrested on 07.01.2026. He too suffered disclosure statement admitting his involvement in the crime. Investigation qua him now stands completed.

4. Learned counsel for the petitioner has argued that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He was not named in the FIR. No specific role has been attributed to him. The grievous injury sustained by one of the victim has been attributed to co-accused Avtar and not to the present petitioner. He is in custody since long. The trial will take considerable time to conclude. He is not required

for further investigation. His antecedents are clean. It is, therefore, argued that the petitioner deserves to be extended the benefit of bail.

5. Notice of motion.

6. Learned State counsel has advance notice of the petition and while placing on record custody certificate of the petitioner, he has vehemently argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be allowed.

7. This Court has heard the rival submissions made by learned counsel for the parties.

8. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, he is further alleged to have opened an assault upon the complainant and his friend Lovepreet @ Goru, who had sustained simple as well as grievous injuries. The petitioner was not named in the FIR. No specific injury on the person of either of the injured has been attributed to him. The subject offences are triable by the Magistrate. Investigation is over and the trial is not likely to be conclude in near future. The continued detention of the petitioner is not going to serve any fruitful purpose. It is well settled proposition of law that the bail is the rule and jail is an exception. Pre-trial incarceration of an accused should not be replica of post conviction sentencing. Keeping in view the above facts and circumstances but without meaning to make any comment on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety

bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

05.05.2026

harjeet

(MANISHA BATRA)
JUDGE

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