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

CRM-M-24783-2026

Date of decision : 07.05.2026

Himanshu @ Lucky**....Petitioner**

versus

State of Haryana**.... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Davinder Pal Soni Jura, Advocate
for the petitioner.

Mr. Viney Saini, A.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.0262 dated 20.05.2025, under Sections 115, 118(1), 118(2), 190, 191(2), 351(2) of BNS (Section 119(1) of BNS deleted and Sections 109, 117(2), 191(3) of BNS added, lateron), registered at Police Station Sirsa City, District Sirsa, Haryana.
2. As per the facts of the case, the present FIR was lodged on the statement of complainant, namely, Vikas. It was alleged that the complainant had an old enmity with Mitia Saini. It was alleged that on 17.05.2025 at about 2:00 AM, Jaswinder alias Jassu visited his house and told the complainant that he could settle his matter with Amit alias Mitia. It was alleged that thereafter, the complainant alongwith Jassu reached near Govt. Tubewell, Guru Teg Bahadur where Raman, Himanshu (present petitioner) Gurdatta alias Lali, Ajay Singh and Sukhdeep alias Gilli, were present. It was alleged that Gurditta alias Lali, Ajay alias Ganda and Raman were armed with Kappa and Jaswinder alias Jassu had



taken a *dattar* from Himanshu. It was alleged that Raman warned the complainant to settle the matter with Amit alias Mitia or they will teach lesson to the complainant. It was alleged that the complainant out of fear started running and then the assailants chased him. It was alleged that the assailants gave *kapa* and *dattar* blows on the head at the head, hand and legs of the complainant and Himanshu alias Lucky, Sukhdeep alias Jiddi gave fists and kick blows and caused injuries to complainant. The complainant raised alarm and then all the boys, while extending threat of life to the complainant, fled away from the spot along with their respective weapons. The complainant was got admitted in Civil Hospital, Sirsa. Thus, request was made to take legal action against the assailants. On registration of FIR, investigation commenced. The petitioner was arrested on 21.05.2025. The petitioner approached the learned Additional Sessions Judge, Sirsa, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned trial Court vide order dated 15.04.2026. Aggrieved by the same, the petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He submits that the FIR was lodged on the statement of complainant/injured, namely, Vikas. He submits that though the petitioner was alleged to be a part of the unlawful assembly, however, he was alleged to have given fist and kick blows to the injured. He submits that the injured suffered 11 injuries, however, those injuries are attributed to the co-accused and not to the petitioner. He submits that though the petitioner is involved in one more



case, however, he is on bail in the same. He, thus, submits that in the facts and circumstances of the present case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has also opposed the submissions made by counsel for the petitioner and submits the petitioner was not only part of an unlawful assembly but he has played an active role in the said occurrence. He submits that the complainant/injured had suffered 11 injuries. He, on instructions, has submitted that out of total 17 prosecution witnesses, 03 witnesses have been examined so far. He has produced on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner in the present case was arrested on 21.05.2025. Though the petitioner is named in the FIR, however, he is alleged to have given fist and kick blow to the complainant/injured. The 11 injuries suffered by the complainant/injured, are attributed to the co-accused, who was armed with a *datar*. The custody certificate produced would show that the petitioner has suffered an incarceration of 11 months and 16 days as on 06.05.2026. It further reflects that the petitioner is involved in 01 more case. As submitted before this Court, only 03 witnesses have been examined out of total 18 prosecution witnesses.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

7. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making

present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

8. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

07.05.2026
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(RAJESH BHARDWAJ)
JUDGE

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