

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:083648



215-2

CRM-M-24992-2026 (O&M)
Date of decision:26.05.2026

Avtar Singh @ Taru

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Pranshul Dhull, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking benefit of regular bail 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), 61(2) and 118(2) of the BNS, 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 the present petitioner 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 FIR, investigation proceedings were initiated. Accused Ravi Kumar, Sunil Kumar and Lakhwinder Singh @ Sonu were joined into investigation. They suffered disclosure statements admitting their involvement in the commission of crime along with the present petitioner and other co-accused. They demarcated the place of occurrence. The petitioner was arrested on 07.01.2026. On interrogation, he too suffered disclosure statement admitting his involvement in the crime and demarcated the place of occurrence. He also got recovered a *datar* used in the occurrence. Subsequently, some other accused were also arrested. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He is in custody since long. He is not required for further investigation. His antecedents are clean. The trial will take considerable time to conclude. He is ready to abide by the terms and conditions to be imposed upon him. No useful purpose would be served by detaining him in custody anymore. Co-accused Ravi Kumar has been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, therefore, argued that

the petition deserves to be allowed.

5. Status report has been filed. Learned State counsel has argued that the allegations against the petitioner are serious in nature as he by forming an unlawful assembly with the co-accused and by using a *datar*, had voluntarily caused injuries to the complainant and his friend Lovepreet Singh @ Goru. It is argued that there are chances of petitioner's intimidating the witnesses or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

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

7. 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. No specific injury on the person of either of the injured has been attributed to him. Though, a *prima facie* case for commission of the subject offences has been made out as against the petitioner, however, the investigation is over. The trial is not likely to be concluded 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 pre-trial incarceration of an accused should not be replica of post conviction sentencing. Similarly situated co-accused has been extended benefit of bail. Taking into consideration the above discussed facts and circumstances, this Court is of the considered opinion that no useful

purpose would be served by keeping the petitioner in custody anymore and he has made out a case for his release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

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

26.05.2026

harjeet

**(MANISHA BATRA)
JUDGE**

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