

2026 PHHC 073389



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

239

CRM-M-25378-2026

Date of decision: 11th May, 2026

Sunil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. S.K. Bishnoi, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing 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 Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Sirsa City, District Sirsa, Haryana.

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

2026 PHHC 073389



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. During investigation, accused Avtar Singh was arrested. He suffered disclosure statement admitting his involvement in the crime and took the name of accused Ravi Kumar. The said Ravi Kumar was also arrested and in his disclosure statement nominated the present petitioner as co-accused. The petitioner was arrested on 07.01.2026. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner 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. No specific role has been attributed to him. The grievous injuries sustained by one of the victims has been attributed to the co-accused Avtar and not to the present petitioner. He is in custody since 07.01.2026. Trial is likely to take time to conclude. No useful purpose would be served by detaining him in custody anymore. Co-accused Ravi Kumar been extended benefit of regular bail. On parity, he too deserves to be released on bail. It is, therefore, argued that the

2026 PHHC 073389



petition deserves to be allowed.

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. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed. Therefore, it is stressed that the petition 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

2026 PHHC 073389



accused should not be replica of post conviction sentencing. Similarly situated co-accused has been extended benefit of bail. In view of the discussion made above, 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.

9. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
10. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

11th May, 2026
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No