



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

232

CRM-M-27222-2026

Date of decision: 19.05.2026

RINKU

.....PETITIONER

Versus

STATE OF HARYANA

. RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Sumit Sangwan, Advocate
for the petitioner.

Ms. Deepali Verma, Asstt. A.G. Haryana.

SURYA PARTAP SINGH, J.

1. This petition for bail is the second petition, filed by the petitioner under Section 483 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. This petition has been filed with regard to a case arising out of FIR No.0278 dated 02.11.2025, for the commission of offence punishable under Sections 109(2), 121(1), 132, 221, 3(5), 308(4) [Section 308(4) deleted later on] of 'the Bharatiya Nyaya Sanhita, 2023' and Section 25(1)(a) of Arms Act, 1959



[Sections 25(1)(a) deleted and Section 25(1)(AB), 27(2) and 28 added later on], Police Station Dadri Sadar, District Charkhi Dadri.

2. The FIR of this case came into being at the instance of 'Mukesh', hereinafter being referred to as "complainant" only. It was stated by the above-named complainant that on 01.11.2025 he was posted as Gunman with SDM Yogesh Kumar and that on that day at about 10:30/11:00 P.M. when, SDM Yogesh Kumar, SMG Sandeep Kumar, Bijender and driver Manjeet was present near village Mankawas, Dohki road for checking of overloaded vehicles, one Bolero vehicle bearing registration No.HR-19GV-1111-6867 and one Thar bearing registration No.HR-36AP-4806 reached the spot and four boys alighted from the above-mentioned vehicles, abused and assaulted the police party and objected to checking of truck drivers. According to complainant, 'Chhotu' and 'Mastu' caught hold of him, and after thrashing him, accused 'Gaulia' forcibly snatched his official 9 MM pistol from his belt, while the fourth boy punched him on his face, and Gaulia fled towards the fields with the pistol. It was also stated that when he chased the assailants, they fired two gunshots but he was saved, narrowly.

3. It is the case of the prosecution that pursuant to above-mentioned complaint, formal FIR of this case was lodged and the investigation taken up.

4. Notice of motion.

5. Since advance notice has already been served upon the State, Mr. Ms. Deepali Verma, Asstt. A.G. Haryana, accepts notice on behalf of respondent-State. Hence, the service of notice upon the State is hereby dispensed with. The learned State Counsel has filed custody certificate of the petitioner. The same be taken on record. No formal reply has been filed by the



State. However the learned State counsel has orally opposed the present petition.

6. Heard.

7. It has been contended by learned counsel for the petitioner that the petitioner is innocent, having no nexus whatsoever with the commission of crime, and that he has been falsely implicated in the present case. According to learned counsel for the petitioner, the petitioner has clean antecedents and in the present case, he has already suffered incarceration for a period of more than six months. It has been further contended by learned counsel for the petitioner that instant case is a case, wherein no serious injury, whatsoever, was suffered by the victim, and that trial is not likely to be concluded in near future. According to learned counsel for the petitioner the former petition for bail was not decided on merits, and therefore, the present petition is maintainable. On the above-mentioned ground the benefit of bail has been claimed for the petitioner.

8. The learned State counsel has controverted the above-mentioned arguments. According to learned State counsel in the present case, there are very specific allegations with regard to the fact that the service revolver of the gunman of the officer was taken away by the petitioner and his co-accused. According to learned State counsel in view of gravity of offence, the petitioner is not entitled to the benefit of bail.

9. The record has been perused carefully.

10. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision: -



- i) that there are very specific allegations against the petitioner and his co-accused that without any provocation they interfered in the working of Government official;
- ii) that in the above-mentioned incident, they thrashed the Government official brutally;
- iii) that they committed robbery of service revolver of a police official in the above-mentioned incident;
- iv) that when they were chased by the police officer, they fired gunshot.
- v) that firing of gunshot in every probability is to be considered as an attempt to murder;
- vi) that the total period of incarceration of the petitioner is six months, which by any standard cannot lead to an inference that there is delay in trial.

11. Taking into consideration the cumulative effect of all the above-mentioned factors, but without commenting anything on the merit of the case, it is hereby observed that at this stage, the petitioner is not entitled to the benefit of bail, and that the present petition is devoid of merit. In view of above, as there is no merit in the present petition, the same is hereby **dismissed**, accordingly.

(SURYA PARTAP SINGH)
JUDGE

19.05.2026

vipin

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