

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:080034



281

CRM-M-27866-2026 (O&M)
Date of decision:20.05.2026

Sachin

... Petitioner

Vs.

State of Haryana & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Baljeet Beniwal, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Ms. Ashika Kalra, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners seeking grant of anticipatory bail in case arising out of FIR No.40, dated 17.02.2026, registered under Sections 109(1), 115, 190, 191(2) and 351(3) of the BNS and Section 25 of the Arms Act, at Police Station Bahalgarh, District Sonapat.

2. The aforementioned FIR has been registered on the basis of a written complaint submitted by complainant – Krishan Kumar, alleging therein that his nephew Anshu had gone to a nearby shop to buy something and on returning, he apprised the complainant that accused Deepak, who was present near Chaupal area and was under the influence of liquor had an

altercation with him. On the same night, when the complainant along with his family members was standing outside his house, the above named Deepak accompanied by the present petitioner, co-accused and some persons unknown to the complainant reached there and started having scuffle with him. Accused Sunny took out a pistol and handed over the same to the present petitioner, who fired a shot with the same, which was missed. Since, some family member of the complainant had started recording the incident on his mobile phone, the assailants fled away while extending threats to the complainant.

3. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail, which was dismissed by the Court of learned Additional Sessions Judge, Sonapat vide order dated 11.05.2026.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. It is a case of version and cross-version. No one had sustained any firearm injury in the occurrence. The CCTV footage of the place of occurrence does not show the petitioner while carrying any weapon. A compromise has been arrived at between the parties and a petition seeking quashing of FIR on the basis of said compromise is pending before this Court. Co-accused Ankit, Rahul, Gourav and Deepak have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, thus, argued that the petition deserves to be allowed.

5. Learned counsel for the complainant has not raised any objection to the allowing of the petition and has not controverted the pleas as taken by learned counsel for the petitioner.

6. On the other hand, learned State counsel has argued that taking

into consideration the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of bail.

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

8. The petitioner by forming membership of an unlawful assembly with the co-accused is alleged to have used a firearm to overawe the members of the complainant party and is also alleged to have used the said firearm, thereby making an attempt to kill the complainant. However, none had sustained any injury in the incident. Though, much relevance cannot be given to the factum of any compromise having been taken place between the complainant and the petitioner, however, given the nature of the allegations as levelled against the petitioner and the circumstances peculiar to the case, this Court is of the considered opinion that no case for pre-trial incarceration of the petitioner is made out. Accordingly, the petition is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to his joining investigation and surrendering within a period of 10 days from the date of receipt of a certified copy of this order and upon his doing so, he shall be released on bail by the **Investigating Officer** on furnishing personal as well surety bonds to his satisfaction and further subject to following conditions:-

(i) the petitioner shall cooperate with the investigation and shall appear before the investigating officer/arresting officer as and when required.

(ii) he shall not directly or indirectly make any inducement, threat or promise to any person

acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.

(iii) he shall not commit any similar offence while on bail.

9. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

10. It is, however, clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

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

(MANISHA BATRA)
JUDGE

20.05.2026

harjeet

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