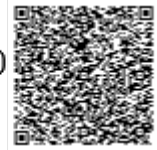


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:086060



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CRM-M-30131-2026 (O&M)

Date of decision:29.05.2026

Uvesh @ Kala

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rahul Jaswal, Advocate for the petitioner.

Ms. Himani Arora, 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.148, dated 23.07.2025, registered under Sections 109(1), 333 and 3(5) of the BNS and Section 25 of the Arms Act, at Police Station Sanoli, District Panipat.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by complainant – Nadeem, alleging therein that on the night of 22.07.2025, accused Junaid along with his accomplices came outside his house on a bike. They entered inside the *baithak* of his house. They were armed with weapons. Accused Junaid fired a shot with his pistol with an intent to kill him but he had a narrow escape. His companions Umar and Furqan, who were present there, fled out of the house. Out of fear, complainant rushed inside his house to save

himself. Another shot was fired towards him but could not hurt him. Thereafter, the assailants fled from the spot. By alleging that on the same evening, accused Shahrukh and Insar has done his recce and he had also seen them while standing along with accused Junaid and had a hand in the occurrence. As such, he prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings were initiated. Accused Shahrukh and Intzar were arrested on 14.08.2025. They suffered disclosure statement admitting their involvement in the crime and also about the complicity of accused Junaid, who was nominated as such. Accused Junaid and present petitioner ,who were in custody in another case bearing FIR No.121 dated 16.06.2025, registered at Police Station Sanoli, suffered disclosure statements admitting their involvement in this case. They were arrested in this case on 08.09.2025. They demarcated the place of occurrence in pursuance of their disclosure statements. Investigation qua the petitioner 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. No recovery has been effected from him. Co-accused Insar and Shahrukh, against whom, there were grave allegations have been extended benefit of bail. The allegations that he was seen in CCTV footage with a muffled face, are speculative in nature. The material witnesses have been examined. There are no chances of his intimidating such witnesses or absconding. The trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody anymore. It is, therefore, argued that the 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, it is argued that the petitioner is a habitual offender being involved in 08 other cases. There are chances of his committing similar offences, if extended benefit of bail. The allegations against him are serious in nature. 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 was nominated in this case on the basis of disclosure statement allegedly suffered by him in another case bearing FIR No.121 dated 16.06.2025. He is in custody since 08.09.2025. Investigation now stands completed. There are no chances of conclusion of trial in near future. It is a case of no injury. His involvement in other cases cannot be considered to be a reason for denying benefit of bail. The well settled proposition of law is that pre-trial incarceration should not be replica of post-conviction sentencing. The object of the jail is to secure appearance of the accused during trial, and it cannot be preventive or punitive. In view of the above discussed facts, the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent-State to seek redressal by

filing an application seeking cancellation of bail.

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.

29.05.2026

harjeet

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

(MANISHA BATRA)
JUDGE