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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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Decided on :18.02.2026

Krishan

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rajesh Kumar Dhankhar, Advocate for the petitioner.

Mr. P.K. Jhanda, Sr. DAG, Haryana.

Mr. Raman Chawla, Advocate for the complainant.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in connection with FIR No. 309 dated 22.10.2023, under Sections 148, 149, 302, 120-B IPC, registered at Police Station Siwani, District Bhiwani

2. For reference, version of FIR is reproduced here-under:

“To, The Police Post, In-charge, Jhumpa Kalan. Sir, It is requested that I, Anil Kumar son of Shri Kuldeep Singh, resident of Garwa, Tehsil Siwani, District Bhiwani, Haryana, am a resident of the aforementioned address. We were two brothers. My elder brother was Vikram Kumar. On 21.10.2023 at around 7 PM, my brother Vikram went out stating that there is a Birthday of Vikas son Mandrup Singh resident of Garwa. He has called me there for a party. On 22.10.2023 at around 01.00 AM, I got a call from Sandeep son of Shri Dharampal resident of Garwa that Vehicle of Vikram is parked near the field of Vikas near the Jinga Farm on the road of Suratpura and they are quarreling with Vikram. Thereafter, I came to know that Vikas son of



Mandrup, Krishan son of Sumer Jakhar resident Surpura, by keeping the old rivalry in their mind with my brother Vikram for the fight occurred in the year 2019, Krishan son of Sumer resident of Surpura, Sumit son of Bhagwan Singh resident of Garwa, Vikas son of Mandrup resident of Garwa, Parveen son of Dilbag resident of Garwa, Akshay son of Mai Chand resident of Garwa and 3-4 other persons in connivance with each other were attacking with the intention of killing with edged weapons in their hands, Sticks (Dandas), iron rod and Rods (Saria). As soon as I reached at the spot then all those persons were running away from the spot. After that I and my brothers Sombir of Rajbir, Vikas son of Rajbir, Rajbir son of Ganpat Ram picked up my brother Vikram from the spot and left for Hisar for treatment. On the way my brother Vikram told that Vikas, Akshay, Sumit, Krishan, Praveen and 3-4 other persons together keeping in mind the old rivalry beat me badly with sticks, rods, iron rods and edged weapons with the intention to kill me. After going to Hisar Hospital, the doctors declared my brother Vikram dead. Hence, It is requested you to give the strict punishment to the murderers of my brother and get us justice.”

3. Learned counsel for the petitioner submits that, although name of the petitioner appears along with co-accused-Akshay, who has already been granted bail by the learned trial court vide order dated 02.09.2025. Counsel further submits that, as per the observation memo dated 17.10.2025 prepared by the SHO of Police Station Siwani after reviewing the CCTV footage, while accused Akshay and Krishan Kumar(petitioner herein) can be seen in the video, their faces are not

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clearly visible, and they can only be identified by description. No specific role, however, has been attributed to the petitioner, -Krishan Kumar, or to co-accused Akshay in the observation memo.

Once Akshay has been granted the concession of bail by the Court of Sessions, on similar grounds, the prayer for bail in respect of Krishan Kumar (the petitioner herein) is also made out.

4. Per contra, learned Public Prosecutor for the State submits that the allegations against the petitioner, Krishan Kumar, are of a serious nature. He has been specifically named by the complainant in the FIR as well as during his deposition, and video evidence has been relied upon by the prosecution to establish his involvement. Moreover, considering the gravity of the offences and the ongoing trial, learned state counsel prays for dismissal of present petition.

5. I have heard learned counsel for the parties and perused the paper-book as well as the documents appended thereto.

6. Considering the fact that co-accused Akshay has already been granted bail by the learned trial court, and petitioner's period of incarceration of over one year and seven months, this Court finds that continued detention of the petitioner is not warranted. Taking into account that petitioner is a first-time offender and no specific role has been attributed to him in the observation memo, this Court finds merit in the prayer of the petitioner.

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Consequently, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

18.02.2026***Rashmi***

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No