

138 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026.PHHC.040863



CRM-M-53196-2025 (O&M)

Date of Decision: 16.03.2026

ANOOP KUMAR

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Sankalp Gehlawat, Advocate for the petitioner.

Mr. Rakesh Kumar Jangra, A.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.219 dated 09.05.2023 under Sections 147, 148, 149, 307, 323, 506, 120-B IPC and Section 25(1-B) of the Arms Act, 1959 registered at Police Station Civil Lines, District Hisar.

2. The case of the prosecution is that on 08.05.2023, when the complainant was inside his house, he heard the voice of his brother Aman crying for help. On rushing to the rescue of his brother, the complainant saw Kartik, Aryan, Vinay, Harsh, Akshay inflicting injuries on the person of the injured with dandas, gandasis, handle of hand pump. Kartik was also armed with a pistol. On seeing the complainant, Kartik pointed the firearm towards him and fired, however, the bullet grazed past his thigh. On a hue and cry raised, sister of the complainant and several persons gathered there and the accused party fled away from the spot, brandishing their respective weapons.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The petitioner has not been named in the FIR. However, he has been identified in the CCTV footage and was present at the spot. However, no specific injury has been attributed to the petitioner. He further submits that the petitioner is in custody for the last 02 years, 03 months and 26 days.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 02 years, 03 months and 26 days and out of total 28 prosecution witnesses, only 05 have been examined so far. It is further contended by learned State counsel that the petitioner is involved in 07 more cases.

5. I have heard the learned counsel for the parties and perused the record.

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the petitioner has not been named in the FIR and no specific injury has been attributed to him; the petitioner is in custody for the last 02 years, 03 months and 26 days; out of total 28 prosecution witnesses, only 05 have been examined so far; the conclusion of trial is likely to take a long time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *'bail is rule and jail is exception'*.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

16.03.2026
Janki

(H.S.GREWAL)
JUDGE

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