



CRM-M-56402-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-56402-2025
Decided on : 19.03.2026

Popy @ Raghav

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Ankur Kaushik, Advocate
for the petitioner(s).
Mr. Kanwar Sanjiv Kumar, AAG Haryana
Ms. Mansi Majoka, Advocate
for the complainant

SANJAY VASHISTH, J. (Oral)

1. The instant second petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Popy @ Raghav, aged 22 years	72	26.04.2025	115(2), 126(2), 3(5), 109 of BNS	Hassanpur	Palwal

2. Incident in the present case took place on 20.04.2025, and FIR was got registered by injured-Mohit himself, after a period of about 06 days i.e. on 26.04.2025. The version of FIR reads as under:

“To, Mr. SHO, Police Station Hasanpur, Palwal, Subject: Regarding a deadly attack by blocking the road, I request that I, Mohit, son of Virendra, a permanent resident of Andhua Patti, Hodal, had gone to Saduagarhi, Hasanpur, on 20.01.2025, to attend my friend's engagement ceremony with my friend Bharat



S/o Tejram, resident of Teeha Patti, Hodal. When Bharat and I were returning to our home in Hodal, Bharat was driving the motorcycle, and I was sitting behind him. It was around 10:30 PM. When we reached the village Bhiduki Medical Bus Stand, two boys were already standing there on a motorcycle. They tried to stop us, but Bharat did not stop the motorcycle. The boys followed us, came up next to us, pushed us over, and fell down themselves. Before we could recover, one of them came near me and attacked me with a sharp knife-like weapon. Somehow, we both saved our lives and ran away from there. On the way my condition worsened. Bharat took me to Manoj Hospital Hodal, where I fainted. Seeing my serious condition, my family members took me to Sarvodaya Hospital Faridabad. My family members did not know anything. While admitting me in Sarvodaya Hospital, they had told the doctor that it was an accident. When I regained consciousness on 22.04.25, I narrated the entire story to my family members. When we investigated on our own, we came to know that the people who committed the crime against me were Poppy S/o Omprakash and Ajay son of Phoolsingh, residents of Bhiduki. They attacked me, and I am under treatment till now, so I have come to submit a request for action, action should be taken against both the accused. Date 26.04.2025 SD MOHIT Mohit son of Virendra, resident of Andhua Patti Hodal (Palwal) 8930545819.”

3. Learned counsel for the petitioner argues that without there being any evidence, FIR has been registered in the present case naming the petitioner and his other co-accused Ajay in the case. Had petitioner been involved in the case, name would have been disclosed, there was no necessity for complainant/injured to investigate on his own to find out the names of assailants. He further submits that petitioner is inside jail since 07.05.2025 and the during the course of last two occasions, witnesses not appearing before the trial Court to depose in the case. He further submits on 18.02.2026 and again on 18.03.2026, witnesses did not appear to depose in the case. Thus, submits that because of non-appearance of the witnesses, detention of the petitioner should not be continued and ,therefore, plea of bail be considered. Thus, prays for grant of bail to the petitioner.

4. Learned State counsel on instructions from PSI Harish Kumar assisted

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by learned counsel for the complainant, opposed the prayer and and submits that no explanation is put forth as to why the witnesses are not appearing in the witness box, as contended by petitioner's counsel.

5. This Court has heard the submissions addressed by learned counsel for the parties and has carefully perused the record available before it.

6. In the backdrop of aforesaid circumstances, this Court is of the view that without there being any substantial reason, for not appearance of the witnesses, the petitioner can not be compelled to remain inside jail any longer.

7. Consequently, prayer made in the 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/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands disposed of.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 19, 2026

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No