



CRM-M-56475-2025(O&M) 1
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117 **CRM-M-56475-2025(O&M)**
Decided on :06.04.2026

Ashish ... Petitioner(s)
Versus

State of Haryana ... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Shivansh Malik, Advocate for the petitioner.

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

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SANJAY VASHISTH, J. (Oral)

CRM-10409-2026

i) Present application has been filed under Section 528 of BNSS, for placing on record a copy of the order dated 18.02.2026 passed by this Court in a similar situated case i.e. CRM-M-67199-2025 and copies of orders passed by learned trial Court dated 10.02.2026 and 19.02.2026 as Annexure P-10 to P-12 respectively.

ii) For the reasons enumerated in the application, same is allowed and the orders are taken on record as Annexures P-10 to P-12 respectively.

CRM-13183-2026

i) Present application has been filed under Section 528 of BNSS, for placing on record the copy of statement of complainant/eye witness as Annexure P-13.

ii) For the reasons enumerated in the application, same is allowed and statement of complainant/eye witness is taken on record as Annexure P-13. Registry is directed to tag the same at appropriate place with the paper-book.

CRM-14003-2026

i) Present application has been filed under Section 528 of BNSS, for placing on record copy of the order dated 27.03.2026, passed by learned Additional Sessions Judge, Rohtak as Annexure P-14.

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ii) For the reasons enumerated in the application, same is allowed and order dated 27.03.2026 is taken on record as Annexure P-14. Registry is directed to tag the same at appropriate place with the paper-book.

iii) Application stands disposed of.

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1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No. 33 dated 08.02.2025, under Sections 109(1), 190, 191(3), 351(3) of BNS, and Section 25 of Arms Act, 1959 (Sections 103(1) and 61(2) of BNS and Sections 27 and 30 of Arms Act were added lateron during the course of investigation), registered at Police Station Sadar Rohtak, District Rohtak.

2. Complainant-Saurav, who also sustained injuries in the present case, got FIR registered , which reads as follows:

“I, Saurav So Gulab Singh, resident of Dhamad, District Rohtak, state that today dated 08/02/2025, I along with Manish S/o Ashok, around 3:30 PM, went from our village to Rithal bridge at canal JNL to fetch water. When we reached the canal, three™ vehicles were already parked there, namely SCORPIO, VERNA, and THAR. About 15 boys got down from those vehicles, among whom were Mandeep and Ashish S/o Anil, Sahil S/o Satwant, Ravi S/o Joginder, Rohan S/o Kitab, and Deepak So Surajmal, residents of Dhamad village, along with other boys. They, with pistols in their hands, fired indiscriminately at me and Manish with the intention to kill us. We both received multiple bullet injuries. Then the boys who had accompanied us informed our families and my father. My father and Manish's family took us for treatment from the spot to Positron Hospital: Legal action should be taken against Mandeep, Ashish, Sahil, Ravi, Rohan, Deepak, and the other boys who came along. Due to old quarrels, all the above-named boys were present at the canal armed with weapons and sticks after consultation. I have submitted an application through my father Gulab Singh.Applicant: Saurav S/o Gulab Singh, Village Dhamad, 9729103239.”

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3. Learned counsel for the petitioner submits that injured/complainant-Saurav, who had registered the FIR, has already been examined in the witness box, wherein he failed to support the case of the prosecution. Consequently, other co-accused of the petitioner, namely Ajay, Rohan, and Ravi, have already been granted the concession of bail, wherein the factum of injured/complainant-Saurav having turned hostile has been duly noticed. The observations made in the said order read as under

“7. In the appearing circumstances, no weapon recovered from these accused persons and PW Sourabh has been examined and declared hostile who goes to the extent of stating that the pistol used in the commission of crime has been thrown on the spot, for which reason, the FSL report also has to be considered later if supporting the case of the prosecution or not. On these grounds, as a case of parity also and in the light of the star witness of the prosecution has been declared hostile who did not identify these accused when examined in the court, going by the general rule 'bail is a rule, jail is exception' and the trial will take sufficient period of time to conclude, in the above met circumstances, the accused qualifies these applications for grant of regular bail. Accordingly, the applications filed by accused Ajay and Ronak and Ravi stand allowed and they are granted bail subject to furnishing their bail bonds/surety bonds in the sum of Rs. 1,00,000/- (one lakh) each with one surety each in the like amount to the satisfaction of the learned Area Magistrate/Duty Magistrate.”

Learned counsel for the petitioner further submits that petitioner has clean antecedents, as he is not involved in any other case. Petitioner is in custody for a period of more than one year; therefore, prays for grant of regular bail.

4. Learned State counsel does not dispute the factual position and, while producing the custody certificate dated 04.04.2026, confirms that petitioner is in custody for a period of last 01 year, 01 month, and 17 days, and that no other case is registered against the petitioner.

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

6. There being an admitted position that co-accused have already been released on bail by the trial court, primarily for the reason that the prime witness, namely Saurav, who suffered firearm injuries, did not support the case of the prosecution, and petitioner is in custody for a period of more than 01 year, this Court does not find any substantial reason to detain the petitioner any further.

Accordingly, without expressing any opinion on the merits of the case, 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/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. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

06.04.2026***Rashmi***

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