



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

146

CRM-M-60108-2025 (O&M)

Date of decision: 27.03.2026

Raja Kumar

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Mohan Sheoran, Advocate for the petitioner(s).

Mr. Tapan Masta, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. This first petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.309 dated 27.04.2025, registered under Section(s) 103(1), 190, 191 (3) of the Bharatiya Nyaya Sanhita, 2023 and Section 25 of the Arms Act, 1959 (added later on) at Police Station Kundli, Sonipat.

2. The present FIR was registered on the complaint of Irfan. The fact of the case are that:-

“Amir was working as Line Incharge in HSIIDC phase no. 1, plot no. 13, Kundli. At about 1:00PM, Ashish, employee of the company was blowing speaker despite being prohibited by the company and when his cousin asked him to stop, he started abusing him and also extended threats to kill him. His cousin Amir sent Ashish and Raja to their home after giving the

gate pass to them. At about 5:30 PM, when he and his cousin Amir reached at the gate of the company, Ashish, Gaurav, Raja, Rahul and one another boy were present at the gate. Ashish and Gaurav were having knife and they attacked upon Amir. On this, he and Amir ran inside the company but Ashish and Gaurav caught hold of his cousin and Ashish and Gaurav gave him several blows of knife. When he and his cousin raised hue and cry, Sahil and Kaff came there and on seeing them, Ashish and Gaurav ran away from there. They took Amir to Raja Harish Chander Hospital, Narela for treatment but his brother Amir died during the treatment due to the injuries caused by the accused persons”.

3. Learned counsel for the petitioner contends that the petitioner has been nominated only with the aid of Sections 190 and 191(3) of the Bharatiya Nyaya Sanhita, 2023 and that no role has been attributed to the petitioner in the present case. He contends that deceased-Amir had died on account of knife blow injuries, which are attributed to co-accused/Ashish and Gaurav. It is contended that the petitioner has clean antecedents and the investigation in the present case stands concluded. It is also contended that out of total 31 prosecution witnesses, none has been examined so far and hence, the conclusion of trial shall take a long time. He further submits that the petitioner has been in custody since 30.04.2025 and has already undergone an actual custody of approximately 11 months.

4. Learned State counsel does not dispute the aforesaid factual aspects. He, however, contends that the petitioner was a part of unlawful

assembly, when co-accused/Ashish and Gaurav gave the knife blow injuries to the deceased.

5. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.

6. Having heard the learned counsel for the parties and taking into consideration facts and circumstances as noted above, including absence of any attribution to the petitioner, the absence of any recovery, his clean antecedents, the young age of the petitioner i.e. 25 years, the period of actual custody already undergone by him, the stage of the trial and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

7. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

8. It is made clear 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 hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

27.03.2026

Mangal Singh

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