



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

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CRM-M-61740-2025

Date of decision: 5th March, 2026

Manjeet @ Pahalwan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vikas Gulia, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

Mr. Yashveer Kharb, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 276 dated 25.07.2025 registered under Sections 109(1) and 287 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 3(5) and 61(2) of BNS added later on) (corresponding Sections 307, 285 and 34, 120-B of IPC added later on) and Section 25 of Arms Act, 1959 at Police Station Barauda, District Sonipat.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant-Amit, alleging therein that on the night of 24.07.2025, he along with his companions Jai Singh, Dharambir and

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Jagdish was present in his under construction farmhouse, when the petitioner reached there. He was nursing a grudge against the complainant since the legislative elections and started hurling abuses to him. The complainant and his companions tried to pacify him but he took out a pistol from his pocket and fired two shots with the same in the air. Instead of understanding, he proclaimed that he could fire shots upon the complainant also and then he tried to fire another shot, however, the bullet stuck in the pistol and the complainant had a narrow escape. Thereafter, the petitioner fled away. His pistol had fallen down. After registration of FIR, investigation proceedings were initiated. The pistol lying at the spot along with three live cartridges and one empty cartridge were recovered by the police. The complainant recorded his supplementary statement on 26.07.2025, on the basis of which, Sandeep and Ajay were nominated as additional accused. They were arrested. On interrogation, they suffered disclosure statements admitting their involvement with the petitioner in the crime. The petitioner was arrested on 31.07.2025. He got recovered the car used at the time of the occurrence. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. It is a case of no injury. He is in custody since long. Trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody anymore. The co-accused Pawan, Vijay, Ajay and Sandeep have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. His involvement in

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other cases cannot be considered to be a reason for denying benefit of bail to him. A compromise has been effected between him and the complainant has furnished affidavit Annexure P-7 in this regard. It is, thus, argued that the petition deserves to be allowed.

4. Learned counsel for the complainant has raised no serious objection to the allowing of the petition and has also admitted the fact that the affidavit Annexure P-7 has been signed by the complainant.

5. *Per contra*, learned State counsel while relying upon the status report has argued that the allegations against the petitioner are serious in nature as he was the person, who had fired shots towards the complainant with an intent to kill him. A country made pistol along with live cartridges and empty cartridge has been recovered from the spot. The antecedents of the petitioner are not clean. There are chances of his absconding, intimidating the witnesses or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioner along with the co-accused is alleged to have made an attempt to kill the complainant by firing shots with pistol upon him. Though as per the contents of the affidavit Annexure P-7, the complainant does not want to pursue any action as against the petitioner. In the opinion of this Court, no relevance can be drawn from this affidavit at this stage. The

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allegations make out a *prima facie* case for commission of subject offences against the petitioner. However, he is in custody since 31.07.2025. He is not required for further investigation since challan stands presented. Trial will take considerable time to conclude. No fruitful purpose would be served by detaining him in custody anymore. It is well settled that pre-trial incarceration should not be a replica of post-conviction sentencing and that bail is the rule and jail is an exception. The object of jail is to secure appearance of the accused during trial, and it cannot be preventive or punitive. Taking into consideration the nature of the subject offences, the period spent by the petitioner in custody and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.
9. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

5th March, 2026
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No