



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109+136

Decided on: 23.02.2026

1. CRM-M-67935-2025 (O&M)

SUNNY CHAUHAN

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

2. CRM-M-4598-2026 (O&M)

PRASHANT

.....Petitioners

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Dr. Pankaj Nanhera, Senior Counsel with
Mr. Rajat Verma, Advocate
for the petitioner (in CRM-M-67935-2025).

Mr. Kartik Khicher, Advocate for
for the applicant-petitioner (in CRM-M-4598-2026).

Mr. Karan Veer Singh, Sr. DAG, Haryana.

Mr. Baljeet Beniwal, Advocate for the complainant.

SUBHAS MEHLA, J. (Oral)

CRM-6841-2026

The present application has been filed seeking preponement
of the present case which is fixed for hearing on 01.04.2026.

Heard.

Notice of the application.



On advance notice, Mr. Karan Veer Singh, Sr. DAG, Haryana accepts notice on behalf of the non-applicant/State and states that he has no objection in case the present application is allowed.

For the reasons given the application, the same is allowed and the hearing of the case is preponed and the same is taken up on board today itself for hearing along with connected petition fixed for today for hearing.

CRM-50572-2025

Allowed as prayed for and Annexures P-8 and P-9 are taken on record.

Main Cases

1. By way of common order, the aforesaid petitions shall be disposed of which have been filed under Section 483 BNSS, 2023 seeking grant of regular bail to the petitioners in case bearing FIR No.173 dated 08.08.2025 under Sections 109(1), 115(2), 117(2), 190, 191(3), 324(5), 351(3) of BNS, 2023 and Sections 25 of Arms Act read with Section 16/177 of Motor Vehicles Act registered at Police Station Sector-17, Faridabad, Haryana.

2. Facts of the case are taken from the case file of CRM-M-67935-2025 wherein as per the complainant, due to a dispute arisen from an earlier complaint of electricity theft against the complainant's grandfather-in-law, Sunny (cousin of the complainant's wife), along with Gaurav, Mukul, and Aman, allegedly abused and threatened the complainant over a WhatsApp call and asked him to come to Kheri Pull.



When the complainant reached Kheri Pull with his relatives, he allegedly found Sunny and others already present in multiple cars. The complainant claims that Sunny and his associates chased him towards the bye-pass. During the chase, Sunny, who was in a Harrier car, allegedly attempted to hit the complainant's vehicle and also fired a gunshot with the intention to kill him. The complainant further alleged that after the vehicles collided, Sunny got down from his car with a pistol and tried to fire again, but the shot did not discharge. During the ensuing scuffle, the complainant and his companions allegedly beat Sunny in self-defence, and the pistol of the petitioner fell to the ground, which the complainant picked up before fleeing the spot and informing the police and handed it over to the police.

The allegations against the petitioner namely, Prashant, are that the petitioner hit on the hand of one Dev Kumar alias Devu which caused fracture in his hand and further damaged Thar car of the complainant.

3. Learned Senior counsel appearing on behalf of petitioner-Sunny submitted that it is case of version and cross-version and FIR bearing No.174 dated 08.08.2025 under Sections 115, 190, 191(3), 324(5), 351(3) of BNS, 2023 has also been registered against the complainant and from the facts of the present case that the weapon allegedly used by the petitioner-Sunny is also handed to the police by the complainant make the story of the complainant doubtful, there is no gun shot injury to any one; investigation has already been completed in this



case; all the accused have been arrested and complainant namely Pankaj is on bail in cross case. He further contended that there is a video clip of the incident in which it is clearly shown that it is the complainant who waylaid the petitioner-Sunny and caused injuries to him; MLR of the petitioner-Sunny is annexed with the paper book (Annexure P-6); however, the complainant has not received any injury; the petitioner-Sunny is in custody since 11.08.2025. The trial will take sufficient long time and no fruitful purpose would be served by keeping the petitioners behind the bars and as such, learned counsel for the petitioners pray for grant of concession of regular bail.

Learned counsel for the petitioner (in CRM-M-4598-2026) contended that the petitioner is alleged to have hit on the hand of one Dev Kumar alias Devu which caused fracture in his hand and further damaged Thar car of the complainant; however there is no MLR of Dev Kumar and the petitioner is not seen in any Video or CCTV causing injury to anyone or damaging the Thar; the petitioner-Prashant is in custody since 17.08.2026. The trial will take sufficient long time and no fruitful purpose would be served by keeping the petitioners behind the bars and as such, learned counsel for the petitioners pray for grant of concession of regular bail.

4. Learned State counsel filed custody certificate dated 19.02.2026 and submitted that on 07.08.2025, the petitioner and his co-accused made the national highway a battlefield and they collided their vehicles and also fired gun shot upon the complainant and it is the



complainant who informed the police by way of dialing on 112. Learned counsel further contended that even the brother of the petitioner-Sunny has threatened the witness(es) and an FIR to this effect has been registered; as such prayed for dismissal of present petition for grant of regular bail to the petitioner.

5. Mr. Baljeet Beniwal, Advocate has put in appearance on behalf of the complainant and submitted that the petitioner-Sunny along with his co-accused fired a gun shot upon the complainant which hit his car and prayed for dismissal of present petition keeping in view the manner in which the offence has been committed.

6. Heard.

7. Keeping in view the facts and circumstances of present case and the rival contentions of learned counsel for the parties, it is a case of version and cross-version and an FIR bearing no. No.174 dated 08.08.2025 under Sections 115, 190, 191(3), 324(5), 351(3) of BNS, 2023 has also been registered against the complainant and in the present case, there is no gun shot injury to anyone and the allegation is that the petitioner-Sunny fired a gun shot which hit the car of the complainant; the weapon allegedly used by the petitioner has also been handed over by the complainant to the police; the petitioner-Sunny has also received injuries in this incident and MLR to this effect is annexed as Annexure P-6; petitioner-Prashant is attributed the role of hitting on hand of one Dev Kumar @ Devu thereby causing fracture but there is no MLR supporting the same; investigation in this case has already been completed; all the



accused have been arrested; trial will take sufficient time and it is a moot question as to which party was the aggressor, which is to be adjudicated upon by the trial Court, after receiving the evidence *qua* both the parties; petitioner-Sunny is in custody since 11.08.2025 and petitioner-Prashant is in custody since 17.08.2025, no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioners.

8. Therefore, without expressing any opinion on the merits of the case, the instant petitions are **allowed**. The petitioners are ordered to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned and by imposing such conditions so as to secure the presence of the petitioners during the trial proceedings.

9. Nothing observed herein shall be construed as an opinion on the merits of the main case.

10. A photocopy of this order be placed on the file of the connected case.

(SUBHAS MEHLA)
JUDGE

23.02.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO