

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

221

2026:PHHC:011257



CRM-M-71964-2025 (O&M).
Date of decision: 27.01.2026.

SUMIT KUMAR ALIAS RAHUL

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

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

Present :- Mr. Nitin Bhanwala, Advocate,
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

This is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.163 dated 03.06.2025, under Section(s) 109(1), 61 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (Section 111(2) of the BNS, 2023 added later on) and Section 25(1B) of the Arms Act, registered at Police Station Sadar Safidon, District Jind.

2 FIR in the present case was registered on the complaint made by one Ashok son of Om Prakash. The same reads thus:

Subject: Application against: 1. Satpal, son of Prakash, resident of Ramnagar, and 2. Rahul, caste Bairagi, resident of Hat, regarding shooting at me in the applicant's field and attempting to kill the applicant. Sir, I submit that I am Ashok, son of Omprakash, caste Brahmin, resident of Ramnagar, Tehsil Safido, District Jind. On May 28, 2025, at around 7 a.m., I had gone to the applicant's field, which is on the Bitani-Ramnagar road, to harvest jowar. The above-mentioned accused Nos. 1 and 2 arrived on a motorcycle. While the applicant was harvesting jowar in his field, one of them fired at me with the intent to kill. The bullet passed by the applicant. The applicant narrowly escaped being shot. The applicant then ran towards his fields to save his life, and the two accused then fled on their motorcycle towards Ramnagar. An investigation should be conducted to find out who else was involved in this incident besides accused No. 1 and 2. The applicant has been searching for the accused on his own to find out who else was involved in this incident besides these two. Therefore, I request that the above two people fired at me with the intent to kill me, and strictest legal action should be taken against them.”

3 Learned counsel appearing on behalf of the petitioner contends that there is an unexplained delay of 07 days in lodging of the FIR in the present case and that the allegations made therein are not specific. As per the initial version, two persons were stated to have come on motorcycle and fired at the spot, however, no empty has been recovered from the site. The allegation thus seems to be highly improbable. He contends that the incident in question took place around 7:00 A.M. in the morning, however, no independent witness has been joined in the proceedings by the police notwithstanding that at such an hour, there would be large number of people

present in and around the fields. It is contended that the petitioner has no previous enmity with the complainant and that any such motive is attributable to co-accused Satpal. It has come forth in the evidence that 8-9 months prior to the incident, the complainant had allegedly vandalized an event organized by Satpal due to which he was harboring an intention to take revenge. It is contended that since there was only one shot fired at the spot, hence, the said shot undisputedly fired by Satpal. Thus, there is no further valid reason for the petitioner to continue in custody. It is further contended that the petitioner is in custody since 16.06.2025 and as the investigation in the case is already complete, custodial detention of the petitioner is not warranted.

4 State counsel, on the other hand, contends that the earlier bail application filed by the petitioner was withdrawn, after arguing the matter at some length on 17.10.2025. There has been no change of circumstance since the date of withdrawal of the earlier bail application filed by the petitioner. She further contends that a specific role has been attributed to the petitioner in the above offence and that the petitioner admitted his intention to eliminate the complainant and was present when the shot was fired at him. Merely because the intended target was missed and the life of the victim was saved, no benefit should be extended in favour of the petitioner.

5 The incident in question took place as a part of an organized crime activity. The petitioner thus cannot claim non-participation or innocence. Rise of organized crime needs to be dealt with sternly. Very often, when any of such gang members is released on bail, they start extending threats to the witnesses. The gangs operate largely with a view to create fear and then to use the fear as a currency. It is in such times that law needs to take

steps to restore faith of people and eliminate fear.

6 Keeping in view the allegations and the specific attribution, no case is made out for grant of bail to the petitioner at this stage. The present petition is accordingly dismissed.

January 27, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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