



CRM-M-72256-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CRM-M-72256-2025
Decided on : 29.04.2026

Sumit Nain

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Sandeep Saini, Advocate
for the petitioner(s).

Mr. Parveen Kumar Aggarwal, Addl. A.G. Haryana

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sumit Nain, aged 22 years	548	11.09.2024	109(1), 111(3) of BNS and 25(6)-54-59 and 29 of Arms Act	Indri, Karnal	Karnal, Haryana

2. There was already one FIR No. 533 dated 06.09.2024 registered against the petitioner and other accused under Sections 25(6) of Arms Act and Sections 109(1), 111(3), 308(4) and 61(2) of BNS at Police Station Indri, Karnal. On receiving special information, team of police officials were constituted to arrest the accused and thereupon raid was conducted. On noticing the presence of



CRM-M-72256-2025

2

accused, police apprised them to surrender, however, in return they took out pistols and fired at the police personnels. In retaliation, there was firing upon the police side also, in which petitioner Sumit Nain suffered injury in his leg. In this way on spot accused Sahil Kharoud and Sumit Nain (petitioner herein) were arrested.

3. It is argued that it is a case of no injury to any police officials. However, it is admitted position that due to the shots fired by police officials, it was the petitioner, who suffered bullet injury on his leg. Further argues that a fake encounter is projected in the FIR, whereas petitioner has been arrested falsely by injuring his left leg with fire shot. Apart, the factual position, it is also argued that petitioner is inside jail since 14.09.2024 and out of total 22 prosecution witnesses, none has been examined till date. Thus, prays for grant of regular bail to the petitioner.

4. On the other hand, learned State counsel while opposing the prayer for bail submits that petitioner is habitual criminal as he is involved in such like four other cases also. However, on being asked by the Court, it is informed that petitioner has never been convicted in any other case.

5. Heard the rival submissions address by the respective counsel for the parties and gone through the allegations.

6. Considering the total incarceration period inside jail i.e. 01 year, 07 months and 15 days and the fact that no injury has been suffered by any police official; trial even has not commenced, as none of the prosecution witness is examined till date; I deem it appropriate to consider the plea of bail of the petitioner.

7. Accordingly, prayer made in the present petition is allowed. Petitioner



CRM-M-72256-2025

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/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Any of the discussion done and recorded here-above, 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.

9. It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

10. Petition stands disposed of.

Pending application(s), if any, shall stands disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

April 29, 2026

reena

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