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2026:PHHC:008449



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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Kanwar Singh @ Kavar Singh
.....Petitioner
versus
State of Haryana
.....Respondent

Date of decision: January 21, 2026
Date of Uploading: January 21, 2026

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. L.S. Mann, Advocate for the petitioner.
Ms. Priyanka Sadar Thakur, Senior DAG Haryana.
Mr. D.S. Matya, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) for grant of regular bail to
the petitioner, in case FIR No.388 dated 24.10.2025, for the offence punishable
under Sections 115(2), 190, 191(3), 333 of the BNS, 2023 (Sections 118(1) of
the BNS deleted and Section 118(2) of the BNS added later on), registered at
Police Station Bhondsi, District Gurugram.

2. The gravamen of FIR in question is that the complainant, namely,
Ravinder alleged that on 23.10.2025, at about 9:30 p.m., Samit, Amit, Satpal,
Deepak, Avtar, Dal Chand, Ammi, Dharambir, Bhim, Bijan, Billu, Hemraj,
Satya, Mintu, Bobby, Sonu, Sanjay, Vicky, Kallu, Rohit, Mohit, Rahul, Tinku,
Kanwar Singh (*petitioner herein*), Sheela, Geeta, and Kuldeep forcibly entered

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his house. They were armed with iron rods, swords, axes, and other deadly weapons, and some of them were also carrying pistols. The accused persons collectively assaulted the complainant and other occupants of the house in a brutal manner and thereafter fled from the spot. The injured persons were subsequently taken by the neighbours to the hospital at Gurugram for medical treatment.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 25.10.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question as he was merely defending himself. Learned counsel has further submitted that the case in hand involves version/ cross-version. Learned counsel has further argued that injured, injury whereupon has invoked the offence under Section 326 of the IPC, already stands discharged. Learned counsel has further submitted that the petitioner is a man aged 48 years and is saddled with responsibility of being sole bread-earner of his family. Thus, regular bail is prayed for.

4. Learned counsel seeks to place on record custody certificate dated 21.01.2026 and status report by way of an affidavit dated 20.01.2026, in the Court today, which are taken on record. Raising submissions in tandem with the said status report, learned State counsel has vehemently opposed the present petition by arguing that the allegations raised against the petitioner are direct/ serious in nature and, thus, the petitioner does not deserve the concession of the regular bail.

4.1. Learned counsel for the complainant has vehemently argued that there are direct/ serious allegations against the petitioner. Learned counsel has further submitted that, in fact, it is the petitioner who was the actual aggressor

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and has committed assault upon the complainant-side. Learned counsel has further argued that the petitioner-side has, in fact, trespassed into the house of the complainant-side and inflicted serious injuries upon them, including one fracture on the head of brother of the complainant. On the strength of these submissions, dismissal of instant petition is entreated for.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 25.10.2025 whereinafter investigation was carried out and the challan has been presented on 14.01.2026. It is not in dispute before this Court that total 22 prosecution witnesses have been cited, out of which, none has been examined till date. It is thus, indubitable, that conclusion of the trial will take long time. The rival contention raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 21.01.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 02 months and 27 days, & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail, if not required in any other case, on his

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furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

January 21, 2026
mahavir

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