



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

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**CRM-M No.71123 of 2025
Date of decision : 2.2.2026
Date of uploading : 2.2.2026**

Vikesh Paswan alias Bikesh Paswan**....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Lalit Kumar Narang, Advocate, for the petitioner

Ms. Priyanka Sadar, Senior DAG, Haryana

SUMEET GOEL, J. (ORAL)

1. 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.351 dated 15.8.2025 under Section 115, 118(1), 126, 3(5), 351(2) of the Bharatiya Nyaya Sanhita, 2023 (Sections 117(2) and 109(1) of BNS added and Section 3(5) of BNS deleted later on), registered at Police Station Civil Lines, Sirsa, District Sirsa.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Nirvair son of Sonu resident of Vaidwala District Sirsa Mobile no. 9350243782. Stated that I am a resident of the above address and I working as a photographer. On 09.08.2025 at around 12 noon I was



returning home from my work. When I reached near Delhi Pulia then Vikesh son of unknown resident of Chatargarh Patti Sirsa blocked my way and started quarrelling with me. On 10.08.2025 I and Jashan son of Vikramjeet Singh resident of MC Colony Sirsa and Jass son of Paramjeet Singh resident of Moriwala District Sirsa, Dev Saini son of Sandeep Saini resident of MC Colony Sirsa, all four of us by riding on my and Dev's motorcycle went to the shop of Sandeep at Chatargarh Patti Sirsa. There the discussion regarding our Panchayati compromise was going on. Meanwhile, Vikesh son of an not known, Vicky son of not known, and Hrithik son of not known, arrived at the spot. Vikesh stabbed Jass twice on his back from his armed knife, and Vicky hit his armed Danda (wooden stick) on my hand, and Hrithik gave his armed knife blow on the back of Jashan. When we raised hue and cry of 'Mar diya Mar diya' (killed, killed) then they blocked our way and on seeing passersby coming there, Vikesh threatened us by saying that you have been saved today, if you come to Chatargarh Patti Sirsa again, we will kill you. I have presented the MLR of myself and my companions to you. It is requested to you that action be against Vikesh son of unknown, Vicky son of unknown, Hrithik son of unknown. I have recorded my statement to you, which I have heard, understood and it is correct. Sd/-.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 31.8.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question as the FIR-complainant (Nirvair Singh) was harassing the niece of the petitioner in respect whereof an FIR came to be registered on 17.9.2025. Learned counsel has further submitted that the FIR-complainant has been repeatedly changing his stand as in the FIR in question allegations were raised against other accused namely Vicky and Hrithik but subsequently statement was made on 31.8.2025 wherein the FIR-complainant has chosen to give a clean chit to these persons Vicky and Hrithik as regards injury. Learned counsel has further submitted that the petitioner is a



young man aged 22 years with clean antecedents. Learned counsel has further submitted that the injured Jashan absconded from General Hospital, Sirsa and injured Nirvair was found to be declared LAMA (left against medical advice) from General Hospital, Sirsa. Thus, regular bail has been prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 30.1.2026 in Court, which is taken on record.

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

6. The petitioner was arrested on 31.8.2025 wherein after investigation was carried out and challan stands presented on 23.12.2025. Total 10 prosecution witnesses have been cited and it is conceded case of the parties that none has been examined till date. The rival contention raised at Bar give rise to debatable issues which shall essentially 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 30.1.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 5



months & is not shown to be involved in any other case.

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 on his 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.

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

(SUMEET GOEL)
JUDGE

2.2.2026
Ashwani

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