

130-1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-71626-2025 (O&M)

Date of Decision: 10.03.2026

MOHIT @ MONI

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Aman Pal, Sr. Advocate
with Mr. Ajay Pal, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, A.A.G., Haryana.

Ms. Parul Saini, Advocate
for the complainant.

SANJAY VASHISTH, J. (ORAL)

Petitioner-Mohit @ Moni, aged 29 years, has filed the instant petition under Section 483 of the BNSS for grant of regular bail in case FIR No.935 dated 09.10.2023, registered under Sections 148, 149, 302 IPC (Section 201 IPC and Section 25 of the Arms Act, added later on) at Police Station Samalkha, District Panipat.

2. At the time of hearing, the primary contention of the petitioner's counsel is that the incident took place on 08.10.2023 at about 9.15 p.m. in front of the Office of one of the witness namely, Jaideep. As per the statement of Jaideep during investigation, due to the injuries given by the assailant(s) to Ranjan, who is son of complainant-Ram Karan, lost his life.

3. As per case of the prosecution in FIR, complainant-Ram Karan (father of the deceased-Ranjan) received a call by Arjun from Rubin (PW1) in regard to the incident that injuries have been given by the assailants to

Rajan son of complainant. Thereupon, complainant Ram Karan reached to the hospital where his son Ranjan, in injured condition, disclosed to his father that “3/4 days earlier, one Mohit @ Moni had quarrel with him and due to the grudge arising out of that quarrel, today Mohit @ Moni, along with his associates namely, Deepak @ Mirinda, Dheeraj, Deepak @ Popi and Swatantra @ Chunnu collectively assaulted him.” In his statement, deceased Ranjan specifically disclosed that Deepak @ Mirinda and Mohit @ Moni had inflicted knife blows to the deceased.

4. Rubin, on appearing before the Court as Prosecution Witness No.1, has not corroborated/supported the contention.

5. Learned senior counsel for the petitioner refers to the statement of witness-Jaideep, who also while appearing in the witness box as PW-4, did not support the case of the prosecution, rather stated that he on noticing that someone in front of his office has suffered injuries, he took him to the hospital. Deposition in examination-in-chief of witnesses (Rubin) is as under :-

“(Witness intends to depose in English)

Stated that on 08.10.2023 at about 8:30 to 9:00 PM I was there in the market of Samalkha for purchasing some household articles. When I was coming back from the market towards my rented room Adarsh Nagar and when I reached near Chiranji Hospital, Ranjan son of Ram Karan got hitted by some motor-cycle and there was scuffle between the rider of the motor-cycle and Ranjan. Then the assailants with their sharpened edged weapon caused injuries to Ranjan and all the three assailants fled away from the spot along-with their motor-cycle and with their weapons. The assailants were unknown persons and I cannot identify them. Some people picked up the injured and

shifted him to the hospital at the stage. I informed about the incident to the family members of Ranjan.

At this stage, witness is suppressing the truth and requested that witness may be declared hostile. APP for the State wants to cross-examine the witness. Request heard and allowed.”

Deposition in examination-in-chief of witness-Jaideep (PW-4)

is as under :-

“(Witness intends to depose in English)

Stated that on 8.10.2023 I was present at my office. I heard a noise from outside when I came out from my office then I saw that a boy had sustained injury and blood was oozing out from his injuries. I shifted him in CHC Samalkha. Nothing else had happened in my present.

(At this stage, the Learned PP for the State, requested that the witness is suppressing the truth and resiled from his statement and he may be declared hostile. He further requested that he may be allowed to cross examine the witness).

Heard. Allowed.”

6. Without arguing any further, learned senior counsel for the petitioner submits that he may be allowed to withdraw the instant petition at this stage and to re-file the same at an appropriate stage.

7. Dismissed as withdrawn with liberty so recorded here-in-above.

March 10, 2026

gurpreet

(SANJAY VASHISTH)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No