

Sonu @ Bihari Vs. State of Haryana 1

IN THE COURT OF AMIT SHARMA, ADDITIONAL SESSIONS JUDGE,
PANCHKULA (UID NO. HR-0281)

I

	Bail Application No.2750-2026 CNR No. HRPK-01-00-4118-2026 CIS No. BA-1031-2026 Date of Institution 05.08.2026 Date of Order 12.08.2026
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Sonu @ Bihari, aged 20 years, son of versus State of Haryana
Sh. Karan @ Kiran Pal, resident of (Respondent)
Village Kakrali, Tehsil Derabassi,
District Sahibjada Ajit Singh Nagar,
Mohali, Punjab
(Applicant) **First Bail Application**

II

	Bail Application No.2786-2026 CNR No. HRPK-01-00-4175-2026 CIS No. BA-1051-2026 Date of Institution 07.08.2026 Date of Order 12.08.2026
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Deepak, aged 25 years, son of Sh. versus State of Haryana
Sunder Lal, resident of Bhagat Singh (Respondent)
Colony, Village Kakrali, District SAS
Nagar, Mohali, Punjab
(Applicant) **First Bail Application**

FIR No.207 dated 30.06.2026.
Under Section–109, 121, 132, 221, 324(4), 3(5) of BNS
and Section 21 of Mining Act
Police Station: Chandimandir

Applications for Regular Bail under Section-483, BNSS, 2023

(Amit Sharma)
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Present: Sh. V.P.S.Namdev, Advocate for applicant/accused Sonu @ Bihari
Sh. Deepak Saini, Advocate for applicant/accused Deepak.
Ms. Palvi Bhandhol, Ld. Public Prosecutor for the State

ORDER:

Vide this order, I shall dispose of the aforesaid applications for regular bail filed by the petitioners under Section 483 of BNSS in FIR No.207 dated 30.06.2026, under Sections–109, 121, 132, 221, 324(4), 3(5) of BNS and Section 21 of Mining Act, Police Station Chandimandir.

2. Brief facts of the prosecution case are that on 30.06.2026, Sub Inspector Sunil Kumar received a medical ruqqa from Constable Ankit through whatsapp message that due to injuries sustained in RSA, he was admitted to Civil Hospital Sector-6 Panchkula. When SI Sunil Kumar contacted on the mobile number given in the medical receipt, Constable Ankit told that he was referred to GMCH Sector 32 Chandigarh. On this information, SI Sunil Kumar alongwith Constable Devpal reached GMCH Sector 32 Chandigarh, where Constable Ankit and Constable Shubham were found present there and Constable Ankit got recorded his statement that he alongwith HC Phool Chand and Constable Shubham were present in Sector 24, Panchkula for patrolling duty, where Aman, Mining Guard and Rohit, Mining Guard informed them that some unknown persons are carrying out illegal mining by using tractor trolleys. Upon this information, they reached the spot where four persons were loading illegal mining material in a tractor trolley and on seeing the police party, they started pelting stones on the

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police as well as on the vehicle. The driver, on seeing the police vehicle, drove away the tractor-trolley and after going some distance, the driver threw the mining material loaded in the trolley down by hitting it with a stick. One of the people in the trolley told the driver that today they will get rid of their problems by hitting the police vehicle. Upon hearing this, the driver rammed his tractor directly into the police vehicle. The police vehicle driver swerved to avoid hitting the tractor and the tractor hit the driver's side. It hit him and the car turned and he fell out of the car and he got injured a lot. The vehicle sustained significant damage. The tractor-trolley driver and his companions abandoned the tractor trolley at the spot. They fled away from the spot. Upon this complaint, present FIR has been registered. During the investigation, on 01.07.2020, Jaswinder Singh, driver of tractor-trolley number PB-70M-6846 was arrested and his disclosure statement was recorded where he named accused Gurjit @ Babblu, Sonu and Deepak as his accomplices and they were arrested in this case accordingly. Their disclosure statements were recorded. In pursuance of disclosure statements, they got recovered the tractor trolley used in the commission of offence and the said vehicle was taken into police possession. On 01.07.2026, the applicant/accused Sonu was arrested in this case. Challan has been prepared against the accused persons and the same is under checking

3. Learned counsel for the applicants/petitioners have submitted that the applicants have been falsely implicated in the present case; they

have nothing to do with the alleged offence; they did not cause any injury to the complainant/injured; no offence under Section 109(1) of BNS is made out against the applicants; the applicants are not owner neither driver of the tractor trolley No.PB-70-M-6846; the tractor trolley was allegedly being driven by co-accused Jaswinder Singh; applicants are in custody since 01.07.2026; the offences are triable by the Magistrate; no useful purpose would be served by keeping the applicants in further judicial custody; they did not commit any offence; no recovery remains to be effected from the applicants; the applicants undertake to abide by all the terms and conditions imposed by the Court while granting bail. With these submissions, learned counsel for the applicants has stated that the applicants deserve the concession of bail and prayed for the same.

4. On the other hand, reply was filed on behalf of the State and learned Public Prosecutor for the State has vehemently opposed the aforesaid bail applications and has stated that malafide intention of applicants/ accused is apparent from the facts mentioned in the reply. She has further argued that the present applicants were indulged in the business of illegal mining. Learned PP has further submitted that challan has been prepared in this case and same is under checking. With these submissions, learned Public Prosecutor has prayed for the dismissal of the present bail applications.

5. I have considered the submissions advanced before me by the

learned counsel for the petitioners as well as the learned Public Prosecutor for the State and have also perused the record minutely and carefully.

6. The applicants-accused are in custody since 01.07.2026 and no more recovery is to be effected from the accused. Further, no injury allegedly caused by the applicants to any police official, has been brought on record which may appear to be dangerous to life. Further, as per the reply filed by the prosecution, investigation in the present case is completed and challan has already been prepared on 05.08.2026 which is likely to be submitted soon by the prosecution. In these circumstances, this Court is of the considered view that the allegations made against the accused/petitioners would only be substantiated only after the evidence is led by the prosecution and the defence evidence by the petitioners. Accordingly, conclusion of the trial shall take long time. No useful purpose would be served by keeping applicants-accused behind bars anymore as they are already in custody since 01.07.2026. Accordingly, keeping in view the facts and circumstances of the present case, the present bail applications are, hereby, ***allowed***. Applicants/accused are ordered to be released on bail on furnishing bail bonds in the sum of Rs.75,000/- each with one surety in the like amount ***to the satisfaction of this Court, Area/Duty Magistrate***, subject to the following conditions:

1. They shall attend the Court in accordance with the conditions of the bonds executed by them.
2. They shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are

- suspected, and
3. They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the court or to any police officer or tamper with the evidence.
 4. They shall not leave the country without prior permission of the trial court.
 5. They shall not indulge in similar activities/offence again and if they commit similar offence, then the prosecution shall be at liberty to seek cancellation of bail of the accused/petitioners.
7. Nothing discussed herein above for the purposes of adjudicating the present bail application shall be construed as opinion of this Court on merits of the case. ***Copy of this Order*** be sent to the concerned Court for necessary compliance. Copy of this order be placed on the record of bail applications bearing No.BA-1051-2026 titled as Deepak Vs. State of Haryana.
8. In view of Order dated 31.01.2023 passed by the Hon'ble Apex Court of India in SMWP (Criminal) No.4 of 2021 in "Re Policy Strategy for grant of bail", ***copy of this Order be sent to*** Superintendent, Central Jail, Ambala through e-mail for requisite compliance. Files of bail applications be consigned to record-room after due compliance.

Pronounced in open Court:
Dated :12.08.2026
(Bhupinder)

(Amit Sharma),
Additional Sessions Judge,
Panchkula. (UID : HR0281)