



216

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

**CRM-M No.37856 of 2025
Date of Decision : 22.12.2025**

Sombir

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Virender Soni, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Rakesh Kumar Kashyap, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.598, dated 08.11.2018, under Sections 148, 149, 307 of IPC and Sections 25, 54, 59 of Arms Act (Sections 120-B & 34 IPC added later on and Sections 148, 149 IPC deleted), registered at Police Station Sadar Rohtak, District Rohtak.

2. Succinctly the facts of the case are that FIR in the present case got registered on the statement of complainant, namely, Mandeep, son of Ramphal. It was alleged that the complainant was doing agricultural work and cable network work. It was alleged that on



08.11.2018, at about 05:30 P.M., the complainant along with his younger brother, namely, Parvesh were collecting monthly bill of cable near HDFC Bank. In the meantime, Sombir (petitioner), Amit, Jaideep @ J. D. Deshwal, Sumit, Pardeep, Mohit and 03 other boys came there on 03 different motorcycles and started firing indiscriminately on his brother, Parvesh. His brother received the bullet injuries. Being afraid, all of them ran away from the place of occurrence on their motorcycles along with their weapons. Thereafter, the complainant shifted his brother, Parvesh to PGIMS, Rohtak. Thus, the request was made to take legal action against the accused. On the basis of the complaint, the present FIR has been lodged. On registration of the FIR, the investigation commenced. The petitioner was arrested on 27.02.2019 and thereafter, he was granted interim bail on 19.12.2020. Hence, he jumped the bail, however, he was declared as proclaimed offender on 11.05.2022. Resultantly, the petitioner was again arrested on 28.03.2025. The petitioner approached the Court of learned Additional Sessions Judge, Rohtak praying for grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Rohtak, dismissed the bail application filed by the petitioner vide order dated 29.05.2025. Being aggrieved, the petitioner earlier approached this Court by way of filing CRM-M-36685-2019, however the same was dismissed vide order dated 25.02.2021. Hence being aggrieved, the petitioner is again before this Court by way of filing the present second petition praying for grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended



that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner has been falsely named in the present FIR as he is involved in other cases. He has submitted that though the petitioner is involved in 07 other cases, however in 02 of the cases, he has been acquitted and in rest of the cases, he is on bail. He has submitted that the petitioner is behind bars since the date of his arrest and has suffered incarceration of about 2½ years. He has submitted that the complainant is intentionally not appearing before the learned trial Court to prolong the custody of the petitioner and non bailable warrants were also issued against him to secure his presence. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. Learned counsel for the complainant however has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner is a habitual offender as he is involved in multiple cases. He has thus submitted that no case for the grant of bail to the petitioner is made out and the present petition deserves to be dismissed.

5. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner though was granted interim bail by the learned trial Court, however he misused the same as he jumped the bail and hence, he was declared as proclaimed offender. He has submitted that the other co-accused have already been convicted by the learned trial Court. He, on instructions, has submitted that out of total 24 prosecution witnesses, only 04 witnesses have been examined so far. He has produced custody



certificate of the petitioner today in the Court which is taken on record.

6. Heard.

7. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioner in the present case was granted interim bail by the learned trial Court vide order dated 19.12.2020, however as he failed to appear before the learned trial Court, thus, he was declared as proclaimed offender. Thereafter the petitioner was arrested in the present case on production warrants on 28.03.2025. Custody certificate produced would show that the petitioner has suffered incarceration of 02 years, 06 months and 01 day as on 19.12.2025. It further reflects that the petitioner is involved in 07 other cases, however in 01 case, he has been acquitted and in 01 case, he is on bail. Out of total 24 prosecution witnesses, only 04 witnesses have been examined so far. The co-accused have been convicted by the learned trial Court, however as submitted by learned counsel for the petitioner before this Court that their sentence have already been suspended.

8. The veracity of the allegations and counter allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

10. Accordingly, the present petition is allowed and the petitioner



is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case. However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

22.12.2025*rittu***(RAJESH BHARDWAJ)
JUDGE**

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