



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2026:PHHC:047978

2026:PHHC:047207



(119)

CRM-M-46155-2025(O&M)

Date of Decision: 25.03.2026

Mukesh

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Rohit Mittal, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ.J (Oral)

CRM-47122-2025

Application is allowed as prayed for.

Copy of amended petition is taken on record.

Main Case

1. The present petition has been filed praying for grant of regular bail to the petitioner in case FIR No.21 dated 14.02.2025, under Sections 115(2), 118(1), 126(2), 351(3), 287, 117(2), 238, 3(5) of BNS, 2023 and Sections 30, 54, 59 of Arms Act, registered at Police Station Sadar Kanina, District Mahendergarh.

2. Succinctly the facts of the case are that FIR in the present case was lodged on the statement of Umed, wherein it was alleged that he was agriculturist by profession and he had built a dairy in the fields due to which his uncle Ishwar @ Pappu and Mukesh were having grudge with them. It was further stated that on the day of occurrence when he along with his brother Sunil were returning home, then, Ishwar @ Pappu, Mukesh (present



petitioner) and Kuldeep armed with danda and swords and Ishwar Singh armed with his licensed pistol stopped them on the way and attacked on him and his brother. They gave sword blow on the head of the complainant and they also caused injuries with danda to his brother Sunil on his shoulder. Co-accused Ishwar opened fire from his licensed pistol which caused injury on his leg, whereas another bullet passed after touching his body. The accused persons also threatened their family members and also opened fire in the air in front of the house of the complainant. Thus, request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 31.05.2025. He approached the Court of learned Additional Sessions Judge, Narnaul praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 07.08.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He contends that the alleged occurrence had taken place on 14.02.2025. It is contended that there are general allegations against the petitioner that he was along with co-accused. It is submitted that on the basis of his disclosure statement the petitioner had been alleged to have given a brick bat blow on the head of the complainant. He submits that the alleged injury, on examination was found to be simple in nature. He further submits that the fire arm injury caused to the injured/complainant had been attributed to co-accused Ishwar. Counsel submits that petitioner was



involved in one more case, however, he is on bail in that case. It is submitted that investigation in the case is complete and charges have been framed. He, thus, prays for grant of regular bail to the petitioner.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He submits that the petitioner formed a common intention with the co-accused and caused injuries to the complainant. As per the MLR complainant suffered five injuries. It is further submitted that the fire arm injury is attributed to co-accused Ishwar but as all the accused had formed a common intention, thus, the petitioner is also equally liable for the offence committed. Learned State counsel, on instructions submits that charges have been framed in the present case, however, out of total 18 prosecution witnesses none has been examined till date. As per the custody certificate produced by State, petitioner has undergone an actual custody period of 09 months and 15 days as on 23.03.2026 and he is involved in one more case, however, he is on bail in that case.

5. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioner along with the co-accused has been alleged to have caused injuries to the complainant. As per case of the prosecution, petitioner caused a brick bat blow on the head of the complainant, however, this injury has been declared to be simple in nature. As per the custody certificate produced by State, petitioner has undergone an actual custody period of 09 months and 15 days as on 23.03.2026 and he is involved in one more case.

6. The veracity of the 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. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. 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 Court/Duty Magistrate.

7. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

25.03.2026
lucky

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No