

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

218

2025:PHHC:115407



CRM-M-27309-2025 (O&M)
Date of decision: 28.08.2025.

MOHIT @ ANARI @ MOHIT KUMAR

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Rahul Yadav, Advocate,
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (earlier Section 439 Cr.P.C.) for grant of regular bail to the petitioner in case bearing FIR No.172 dated 23.08.2024, under Section(s) 25 of the Arms Act and under Sections 109 (1), 3 (5) and 333 of the Bharatiya Nyaya Sanhita, 2023 (Section 333 BNS added later on), registered at Police Station Rewari Sadar, District Rewari.

2 Briefly summarised, the facts of the present case are that accused Mohit and Vicky entered the office of the complainant when the complainant was strolling in the open place adjacent to his office with his dog and two more unknown persons were outside on their motorcycles. In

the meantime, the noise of firing of the shots was heard by the complainant upon which he went outside and found Mohit and Vicky running with the gun on the motorcycles while saying that the consequences of enmity with Nitin Bhai be seen. When the complainant entered his office, he found that Yogesh Saini, Ravi Kant alias Ravinder were injured with gun shots and a third person Digvesh, resident of Gurdass Majra, Rewari who was also sitting in the office at that time ran towards the residence to call the complainant, whom he met outside the residence.

3 Learned counsel for the petitioner contends that the petitioner has been attributed a gunshot resulting in injuries to two persons on the non-vital part on account of a property dispute. He contends that on completion of investigation, final report had been filed and only 06 witnesses including the complainant and the injured, out of 29 witnesses cited by the prosecution have been examined and they have not supported the case of the prosecution.

4 It is further contended that the petitioner is in custody since 29.08.2024 and is not involved in any criminal case under the provisions of the Bharatiya Nyaya Sanhita, 2023 and since only 06 out of 29 witnesses cited by the prosecution have been examined, the conclusion of the trial is likely to take some long time.

5 Learned State counsel, on the other hand, submits that the petitioner is the main accused in the present case and the trial is going on at a fast pace. He further contends that an FIR under the Narcotic Drugs and Psychotropic Substances Act, 1985 has also been registered against the petitioner for being found in possession of 04 grams of sulpha. He however fairly submits that the petitioner is already on bail in the said case.

6 Having heard the learned counsel for the parties and taking into consideration the facts noticed above, the period of custody undergone by the petitioner as an undertrial since the date of his arrest i.e. 29.08.2024; also the fact that the complainant and injured have already been examined and they have not supported the case of the prosecution and also the stage of proceedings before the trial Court, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

7 It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8 The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

August 28, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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