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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-39885-2025  
Date of Decision:31.07.2025

AMAR AWANA

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

**Coram :** Hon'ble Mr. Justice N.S.Shekhawat

**Present :** Mr. Aman Pal, Advocate &  
Mr. Rishabh Chuadhary, Advocate  
for the petitioner.

Mr. Dhruv Dayal, Addl. AG, Haryana.

Mr. S.K. Rai, Advocate &  
Mr. Hemant Garg, Advocate  
for the complainant.

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**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.0130 dated 01.03.2025, registered under Sections 109(1), 115, 190, 191(3), 351(2) of BNS, 2023 & Section 25 of Arms Act 1959, (whereby Sections 117(2) and 238(B) of BNS were added later on), Police Station Suraj Kund, District Faridabad.
2. The FIR in the present case was registered on the basis of the statement made by Arun Rai and the same has been reproduced below:-

*“To, Mr. Chowki Incharge Sir, Ankhir Faridabad, Sir, I request that I am Arun Rai S/O late Shri Ramdhari Rai resident of*



*73/8 Shiv Puri Mithapur Extension Police Station Jaitpur No. 44, I do my own business, and I also look after the social work of MP Shri Ramveer Singh Bidhuri ji. Mahesh Abna S/O late Gopichand Awana resident Mithapur village no Delhi 44 keeps making wrong comments on social media against me and MP Shri Ramveer Singh Bidhuri ji on one thing or the other. And keeps calling me Ramveer Bidhuri's broker. To answer him, I have also uploaded videos against Mahesh Awana on social media many times. We have a rivalry regarding this matter. Who on 28.02.2025 had come in his car Scorpio N to attend the wedding reception ceremony of the son of his acquaintance Ravindra Chaudhari resident of Mithapur at Khalasa Garden, Faridabad Surajkund Road along with his sons Aniket Rai and Akint Rai. After attending the ceremony, he came out of the garden to go home, then I asked my elder son Aniket Rai to bring the car from the parking lot. When my son Aniket went to the parking lot to get the car, 8/10 boys who were already waiting there attacked my son Aniket with sticks, rods and iron pipes. My son shouted loudly "Save me, save me", then I and my son Akint Rai ran towards them to save my son Akint. When we reached there, those boys also attacked my son Akint with sticks and punches. I recognized two boys, one of them was Amar Awana S/O Mahesh Awana resident of Mithapur village, who was holding an iron pipe in his hand and the other boy was Aman Awana S/O Shiv Kumar Awana alias Bille resident of Mithapur village No. 2. 44 had a pistol in his hand and he fired a direct shot at me with the intention of killing me, but I narrowly escaped. After that a crowd of our acquaintances and other people gathered at the spot. Seeing the crowd, those people fled from the spot. Aman shouted while leaving that today you father and son have been saved, if we meet you again, we will kill you. Strictest action should be taken against all those boys. Applicant Arun Rai SD ARUN RAI 9717392081."*



3. Learned counsel for the petitioner contends that as per the case set up by the prosecution, the petitioner was allegedly carrying an iron pipe and had caused injuries to Aniket Rai, son of the complainant with an iron pipe. He further contends that Aniket Rai, injured was taken to Asian Institute of Medical Sciences and has already been discharged on 04.03.2025 i.e. 03 days after the occurrence and he had suffered four fractures on non-vital parts of the body. He further contends that in the present case, the injuries, which were allegedly suffered by Aniket Rai have been declared to be grievous in nature and the offence under Section 109(1) of BNS has been wrongly added, just to make the offence graver. He further contends that the petitioner was arrested in the present case on 20.04.2025 and is in custody for the last more than 02 months. After completion of investigation, challan has been presented against him. He further submits that now the next date of hearing before the trial Court is fixed on 13.08.2025 for framing of charge and the trial Court may take considerable time to conclude the trial. Learned counsel has placed reliance on the order dated 17.07.2025 in CRM-M-35450-2025 (Annexure P-13), whereby the another co-accused, namely Anand Awana has been granted the concession of bail by this Court.

4. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had participated in the commission of crime and has been assigned specific role in the FIR and he does not deserve the concession of bail by this Court. However, learned counsel admits that there is no other case against the present petitioner.



5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, the petitioner is stated to be in custody for the last more than 03 months and challan has already been presented against him. The injured already stands discharged from the hospital long ago. Further, the prosecution is yet to lead evidence against the petitioner to prove the case against him before the trial Court. Thus, the further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

**31.07.2025**

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**(N.S. SHEKHAWAT)**

**JUDGE**

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