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

CRM-M No.51491 of 2025

Date of Decision: 26.11.2025

Ameen

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Kshitij Sharma, Senior Advocate with
Mr. Shobit Sharma, Advocate and
Mr. Pragun Goyal, Advocate
for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.184, dated 09.05.2025, under Sections 152, 197-D of BNS, 2023, registered at Police Station Pinjore, District Panchkula.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Nitish Kumar. It was alleged that Ameen (petitioner), son of Aslam had raised the slogan '*Pakistan Zindabad*' when the war was going on between India and Pakistan. It was alleged that being a citizen of this Country, Ameen (petitioner) had committed an act of treason against the Country and thus, the request was made to take legal action against the accused. On the basis

of the allegations made, FIR was registered and the investigation commenced. During the investigation, the petitioner was arrested on 10.05.2025. On completion of the investigation, the challan was presented. The petitioner approached the Court of learned Additional Sessions Judge, Panchkula praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Panchkula declined the bail application filed by the petitioner vide order dated 13.08.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned Senior counsel for the petitioner has vehemently contended that the petitioner has been falsely prosecuted in the present FIR. He has submitted that the complainant is the General Secretary of Bharatiya Kisan Sangh, Panchkula, Haryana and the FIR has been lodged on due deliberations. He has submitted that even otherwise the offence under Section 152 of BNS is not even made out on reading the allegations made in the FIR. He has relied upon the decisions passed by Hon'ble the Supreme Court in '*Kishorechandra Wangkhemcha and another vs. Union of India*', WP (Criminal) No.106/2021, decided on 30.04.2021, '*S.G., Vombatkere vs. Union of India*', WP(Civil) No.682/2021, decided on 11.05.2022. He has vehemently questioned about the maintainability of the offence, in which the petitioner is being prosecuted. He has submitted that the petitioner has no criminal antecedents and the investigation is already complete. He has submitted that the petitioner is behind bars since 10.05.2025. He has thus submitted that in the facts and circumstances, the petitioner deserves to be granted bail.



4. Status report dated 13.11.2025 by way of an affidavit of Ashish Kumar, HPS, Assistant Commissioner of Police, Kalka on behalf of the respondent-State has been filed by learned State counsel today in the Court, which is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

5. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by learned counsel for the petitioner. She has submitted that specific allegations against the petitioner are levelled in the FIR regarding raising the slogan '*Pakistan Zindabad*' during the operation when both the countries were at war. She has submitted that the allegations made were duly established during the investigation. She has submitted that only the challan has been presented so far and the charges are yet to be framed. She has produced custody certificate of the petitioner today in the Court, which is taken on record and thus, has submitted that no case for the grant of bail to the petitioner is made out and the present petition deserves to be dismissed.

6. The Court has heard learned counsel for the parties and perused the record with their able assistance.

7. After hearing learned counsel for the parties and perusing the record, it is deciphered that on the basis of the allegations made in the FIR, the petitioner was arrested on 10.05.2025. The argument raised by learned Senior counsel for the petitioner regarding the maintainability of the FIR for the offence under Section 152 of BNS, would be a subject matter of the trial and thus, this Court would refrain from commenting anything on the merits of the case. Custody certificate produced would show that the petitioner has suffered incarceration of 06 months and 11



days as on 24.11.2025. It further reflects that the petitioner is not involved in any other case. Challan has already been presented and charges are yet to be framed.

8. 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.

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

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.

26.11.2025

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

(RAJESH BHARDWAJ)
JUDGE