



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

233

CRM-M-51649-2024 (O&M)
Date of Decision: 10.12.2024

SATYAVEER
STATE OF HARYANA

....Petitioner
VERSUS
....Respondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Pardeep Kumar, Advocate for the petitioner.
Mr. Arjun Lakhanpal, Addl. A.G. Haryana.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) by the petitioner seeking grant of regular bail in case arising out of FIR No.189 dated 03.07.2024 registered under Sections 110, 115, 190, 191(3), 351(2) of Bharatiya Nyaya Sanhita, 2023 (Section 117(2) of Bharatiya Nyaya Sanhita, 2023 added later on) at Police Station Kosli, District Rewari.
2. The facts relevant for the purpose of disposal of this petition as briefly narrated are that the aforementioned FIR had been registered on the basis of written complaint lodged by the complainant Surender Singh alleging therein that on the evening of 02.07.2024, the petitioner along with his wife and the co-accused had caused injuries to his uncle Vijay Singh, his mother Brahama Devi and himself by assaulting them with a weapon which they were carrying and had even tried to kill him by strangulating him. They were saved with the intervention of the co-villagers who had reached there.



3. After registration of FIR, investigation proceedings were initiated. The present petitioner was arrested on 02.08.2024. The co-accused were also arrested. Investigation has since been completed and challan has been presented in the Court.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 02.08.2024. In fact, it is a case of version and cross version. Members of his family also sustained injuries in the same incident. Four of the assailants as named by the complainant have been found to be innocent. The other co-accused have been extended benefit of bail. The trial is likely to take time. No useful purpose would be served by detaining him in custody any more. On the ground of parity and even otherwise, he deserves to be extended benefit of bail, therefore, it is urged that petition deserves to be allowed.

5. Status report has been filed by respondent-State. Learned State counsel has argued that there are serious and specific allegations against the petitioner as he had caused serious injuries to the victim Vijay Kumar on his head as well as to the other injured. He is a man of criminal antecedents as one more criminal case is registered against him. There are chances of his intimidating the witnesses if extended benefit of bail. It is therefore urged that petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioner is alleged to have formed membership of an



unlawful assembly with the co-accused and in prosecution of common object of that unlawful assembly, he is alleged to have caused injuries simple and grievous injuries to the injured Vijay Kumar complainant as well as his wife. The investigation has however, been completed by now. Challan has been presented in the Court. Trial will obviously take time. The petitioner is in custody for a period of over four months. His further detention would not serve any purpose. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts but without meaning to make any comments on the merits of the case, the petition is allowed and he is ordered to be admitted to bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the learned Trial Court.

8. Pending applications, if any, also stand disposed of.

(MANISHA BATRA)
JUDGE

10.12.2024
Deepak Patwal

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No