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

CRM-M-349-2025 (O&M)
Reserved on : 28.08.2025
Pronounced on : 04.09.2025

Dikshender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Amit Arora, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J.

1. This petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No. 182 dated 27.06.2024, registered under Sections 148, 149, 307, 323, 341, 506 and 120-B of IPC and Section 25 of the Arms Act, 1959 at Police Station Dadri Sadar, District Charkhi Dadri.

2. As per the allegations, on 26.06.2024, complainant Karambir along with his companions Sahil and Sachin had gone to Dadri on his pick up vehicle and had unloaded shuttering material from his vehicle and then all three of them were going towards Fatehgarh. When they reached near village Sahawas, they were intercepted by two youths, who came riding a bike. The complainant identified one of them as Sachin @ Rot. He fired a shot towards the complainant with an intent to kill him. Thereafter, co-accused Ravindra Makdana, Nitin Datoli, Ramnay, Shravan, Dharma and 2-3 unknown persons also reached there. All of them were armed with weapons. They damaged the

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window panes of the vehicle of the complainant and made Sahil alight from the vehicle. One of them asked accused Sachin to kill Sahil to take revenge for Kala Khetan. All of them started extending beatings to Sahil with iron rods and dandas. The complainant and his companion Sachin concealed themselves in the nearby fields in order to save themselves. When they came out after some time, they found Sahil to be lying in an injured condition on the ground. He was taken to hospital. On the basis of the written complaint filed by the complainant, the aforementioned FIR was registered. Investigation proceedings were initiated. During investigation, accused Pankaj @ Amarjit, Shivkrant and Nitin were arrested. They suffered disclosure statements admitting their involvement in the subject crime. On the basis of the disclosure statement suffered by co-accused Shivkrant, the present petitioner was nominated as accused and was arrested on 23.09.2024. A mobile phone, motorcycle and a danda used at the time of occurrence were recovered from him. Co-accused Ajay was arrested subsequently. Investigation qua them stands completed and challan has been presented.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of the disclosure statement suffered by above named co-accused, which cannot be considered to be admissible in evidence. He was neither named in the FIR nor any specific overt act has been attributed to him. Investigation now stands completed. Trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. He has clean antecedents. Hence, it is urged that the present petition deserves to be allowed and the petitioner deserves to be released on bail.

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4. Status report has been filed by the respondent-State. Learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also gone through the material placed on record carefully.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is alleged to have assaulted victim Sahil with an intent to kill him. He was not named in the FIR and was nominated on the basis of the disclosure statement suffered by co-accused Shivkrant. No specific overt act or injury on the person of the victim has been attributed to him. He is in custody since 23.09.2024. Trial has commenced but it would take considerable time to conclude. The petitioner has clean antecedents. It is well settled that the bail is the rule and jail is an exception. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

04.09.2025*Waseem Ansari*

*Whether speaking/reasoned
Whether reportable*

(MANISHA BATRA)**JUDGE**

*Yes/No
Yes/No*