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

CRM-M-708-2025

Date of Decision:16.07.2025

FIROZ

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

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

Present : Mr. Johan Kumar, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.730 dated 10.11.2022 registered under Sections 148, 149, 302, 323 IPC, Police Station Sector 8 Faridabad, District Faridabad.
2. The FIR in the present case was registered on the basis of the statement made by Yashvir son of Pappu Singh and the same has been reproduced below:-

“Statement of Yashvir S/o Pappu Singh S/o Vijay Singh R/o House no. 1308, Gali no. 9, Indra Colony, PS Sector 8 District Faridabad aged about 25 Years and Mobile no. 85950-70226 stated that, I am the resident of abovementioned address. My father Sh. Pappu Singh S/o Vijay runs a tea stall on YMCA Chowk and my mother Seema Devi helps my father in the said stall. We are three brother and sister. Vishu is my middle brother whose age is about 15 years. Who does not do any kind of work and he is



friend of our neighbour namely Firoz Khan S/o Mohammad Akhtar. Yesterday, on dated 09.11.2022 at about 11:45 PM, Firoz Khan was coming towards the house along with my brother in the intoxicated state of liquor, then I and my father asked from him that why he is spoiling his son? On which, Firoz Khan abused us and said that I will now teach you a lesson and left the spot. When we were explaining to our brother Vishnu to stop drinking, after some time Firoz Khan, Suraj, Sunil alias Dhode, Bunty, Golu, Ballu came to us and Firoz Khan caught my father and pulled him into the street and pushed him very hard. When we started defending him, his companions started pelting us with bricks and stones which they were already holding in their hands due to which my father got injured on his head and waist and my mother also got injured by bricks and stones. While trying to escape from the scuffle, these people hit me and my brother Vishnu and my father fainted because of the bricks and stones thrown by these people. When we shouted for help, these people fled from the spot. We took my father to BKH Faridabad for treatment where the doctor declared him dead. Please take strict legal action against Firoz Khan, Suraj, Sunil alias Dhode, Bunty, Golu and Bhalla Statement got recorded which is true and correct. Sd/-Yashveer Singh 8595070226.”

3. Learned counsel for the petitioner contends that as per the case set up by the prosecution, the petitioner and other co-accused had attacked Pappu Singh, since deceased by throwing stones and bricks and he had succumbed to the injuries. However, no specific injury has been attributed to the petitioner. Learned counsel further contends that the petitioner was arrested in the present case on 10.11.2022 and is in custody for the last about 02 years and 08 months. Moreover, 04 similarly placed co-accused namely Rohit @ Balla, Suraj @ Jagvir, Sukhvinder @ Golu and Bunty have been granted the concession of bail



by this Court vide orders dated 15.10.2024, 18.12.2024 and 26.03.2025 in CRM-M-47034-2024, CRM-M-62638-2024 and CRM-M-173-2025. In the present case, no specific injury has been attributed to the petitioner by the complainant. Moreover, the complainant i.e. PW-1 and wife of deceased i.e. PW-2 have not supported the case of the prosecution.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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 02 years and 08 months. Though, the prosecution witnesses i.e. PW-1 complainant and PW-2 wife of the deceased have turned hostile. Moreover, similarly placed co-accused namely Rohit @ Balla, Suraj @ Jagvir, Sukhvinder @ Golu and Bunty have been granted the concession of bail by this 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 him furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

16.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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