

2025:PHHC:026783



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.711 of 2025
Date of Decision: 25.02.2025
Reserved on: 21.02.2025

Kuldeep Sharma @ Sonu ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. S.S. Nain, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
239	11.08.2024	Quilla Panipat, District Panipat	115 (2), 118 (1), 118 (2), 3 (5) and 351 (3) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. As per the prosecution case, the present petitioner and son of the complainant namely, Sumit Malik were working as Security Guards in same branch of HDFC Bank. On 10.08.2024, a verbal altercation had taken place between the both of them on issue of performing duty in the Bank. On the same night, the present petitioner along with the co-accused Sachin @ Lalli, Sandeep Sharma and Pardeep Sharma reached outside

2025:PHHC:026783



the house of the complainant and called her son Sumit Malik who was reluctant but on the insistence of the petitioner, he had gone outside. The complainant followed him. Within her sight, accused Sachin @ Lalli caught hold of her son and the present petitioner and accused Sandeep Sharma started causing injuries to him with sharp edged weapons. The complainant raised clamour and then the accused Pardeep Sharma assaulted her by striking blows with a knife thereby injuring her hand. The assailants then fled away while extending threats to kill them. The thumb of right hand of Sumit Malik had been amputated. The injured were rushed to hospital and were treated. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 12.08.2024. The co-accused were also arrested. The investigation now stands concluded.

3. It was argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. The trial will take time. No useful purpose would be served by keeping him in custody any more. Therefore, it was urged that he deserves to be released on bail.

4. Status report had been filed by the respondent-State. Learned Deputy Advocate General, Haryana had argued that there are grave allegations against the petitioner as he is the main culprit. On the fateful day, he had a scuffle with the victim Sumit Malik and on the same night, he went to the house of the victim and opened an attack upon him along with the co-accused. He had struck blows with sharp edged weapon on the person of the victim Sumit Malik thereby amputating thumb of his right hand. Other

2025:PHHC:026783



injuries had also been sustained by the victim Sumit Malik at his hands. Even the mother of the victim has sustained injuries in the same incident. The trial has commenced and there is nothing on record to show that there would be any undue delay in conclusion of the same. Accordingly, it was urged that the petition does not deserve to be allowed.

5. Learned counsel for both the parties were heard at considerable length.

6. The petitioner along with the co-accused is alleged to have caused injuries to Sumit Malik and his mother Rajesh i.e. the complainant. A grievous injury sustained by the victim Sumit Malik which had been struck with a sharp edged weapon by the petitioner has resulted in amputation of his thumb. The allegations against the petitioner are serious in nature. The victims are yet to be examined. The case of the petitioner cannot be stated to be at parity with the case of the co-accused who have been extended benefit of bail. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed at this stage. Accordingly, the same is dismissed.

(MANISHA BATRA)
JUDGE

25.02.2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No