



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(206)

CRM-M-2430-2025

Date of Decision : 29.01.2025

Vijay Kumar @ Vijay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mohit Bishnoi, Advocate for the petitioner.

Mr. Saurabh Girdhar, Assistant Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. This is the 3rd petition filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023 for the grant of regular bail to the petitioner in FIR No. 524 dated 05.09.2022, under Sections 307, 323, 452, 506, 34 IPC (Section 325 IPC added later on) registered at Police Station Adampur, District Hisar (Haryana).

2. Learned counsel for the petitioner submits that no injury is attributed to the petitioner as the petitioner was empty handed and the injuries which were dangerous to life, have been inflicted by the other co-accused, namely, Dilawar with the weapon (Danda) which was used by him and was also recovered from him. Learned counsel for the petitioner further submits that the petitioner is behind the bars for the last more than two years and four months hence, he be granted the concession of regular bail.



3. Learned counsel for the respondent-State has filed custody certificate of the petitioner showing 02 years, 03 months and 29 days of custody. Learned counsel submits that as per the allegations mentioned in the FIR, the petitioner Vijay Kumar @ Vijay as well as co-accused Dilawar went inside the Dairy to assault the victim and the CCTV Footage also shows that both the accused were inflicting injuries upon the victim, hence, the prayer for grant of regular bail to the petitioner may kindly be declined, especially when the Car used in the crime belongs to the petitioner. Learned State counsel further submits that the petitioner is involved in the other cases as well though, he is on bail in all the other cases.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. Once, no injury which is grievous or life threatening has been attributed to the petitioner and the weapon used in the incident was used by the other co-accused, Dilawar coupled with the fact that the petitioner was empty handed and whether any injury has been inflicted by him is yet to be proved. Further, even from the medical report, it has come on record that the injuries which are dangerous to life, have been inflicted with the weapon (Danda), which has been recovered from the other co-accused, namely, Dilawar coupled with the fact that the petitioner is behind the bars for the last more than two years and four months and the petitioner is already on bail in the other cases, no useful purpose will be served keeping the petitioner behind the bars during the entire trial, especially, when learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial in any manner and will maintain good conduct, if he is



granted bail. In case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

6. The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

January 29, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No