

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

2025:PHHC:023876



(243)

CRM-M-6988-2025

Date of Decision: 18.02.2025

Amar Kumar

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. U.K. Kanwar, Advocate for petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL.J (Oral)

The petitioner is seeking the concession of regular bail, filed under Section 483 of BNSS, in case FIR No.166, dated 07.04.2024, under Sections 323, 324, 506 IPC (later on added sections 308, 326, 201 IPC) registered at Police Station, Badshahpur, District Gurugram.

Learned counsel for the petitioner has submitted that petitioner has been falsely implicated in the present case and has been in custody since 06.05.2024. It has further been asserted by the counsel that none of the injuries attributable to the petitioner were declared dangerous to life and hence in the circumstances the petitioner deserves to be enlarged on bail as challan already stands presented. It has also been submitted that petitioner has clean antecedents as he is not involved in any other criminal case.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite has drawn attention of this

Court to the allegations levelled in the FIR which has been annexed as Annexure P-1 and stands reproduced herein under:-

“To, SHO, Sahib, P.S. Badshahpur, Sir, I Mahesh Kumar Gupta, son of Sh. Manoj Gupta resident of village Seriyahat P.S. Seriyahat, District Dumkha Jharkhand at present tenant in the house of Shambhu Ram, Gandhi Nagar, Khota Colony, Badshahpur. I working in Compass India Food Service Private Limited, 7th Floor Tower, B-SPACE I-Tech Park, Sohana Road, Sector 19. Amar Kumar son of Jaipal resident of Khorka Khurd, Hathras, Sikandrao Uttar Pradesh, is working with me for the last one year in the same company. We together worked for one year in this company. I have landed Rs.18,000/- to Amar on dated 06.04.2024 Amar came to my room and asked me to borrow more money. I told him that you have already borrowed Rs. 18,000/-, first you have return my amount of Rs.18000/- and only then I will give you money, Amar become aggressive, then I said him that you have get your salary and you return my money tomorrow, otherwise I will file case against you, Parmod son of Shishpal resident of village Ghanoti P.S. Sadabad District Hathras also residing with me in my room. Parmod was sleeping on his bed. After hearing about filing of case, Amar suddenly become very angry, he took blade from his pocket, and he gave 2-3 cut on my neck with the blade. When I felt pain then I shouted Bachao Bachao, Parmod intervened but Amar also started quarreling with him and also gave blade cut on the neck of Parmod. Then Parmod said I am going to call the police, then while leaving Amar said that today you have saved, if you will again demanded money from me then I will kill both of you. And then he ran away from the spot. Amar after quarreling with me and Parmod has gave injuries on our neck. Legal action may be taken against Amar. Sd/-Mahesh Kumar Gupta.”

Learned State counsel submits that petitioner inflicted continuous 2-3 cuts with a blade on the neck of the complainant and one cut with a blade on the neck of complainant's room mate Vinod when he rushed to the rescue of the complainant. It has been argued by the learned State counsel that although the said injuries were opined to be dangerous to life, however, one cannot loose site of the fact that the injuries had been inflicted on a vital part of the body of the petitioner and which resulted in grievous injuries to both the complainant as well as injured Vinod. State counsel has further submitted that since charges are likely to be framed on the next date of hearing i.e. 19.03.2025; only 11 prosecution witnesses have been cited by the prosecution and hence there is every likelihood that the trial would not take much time to conclude. It has also been argued by learned State counsel that in case petitioner is enlarged on bail there is every likelihood that he could intimidate/influence the witnesses or even evade the proceedings before the Trial Court concerned.

I have heard learned counsel for the parties and perused the material placed on record.

There are specific allegations against the petitioner in the FIR which prima facie finds corroboration with the medical evidence on record. Although, challan stands presented, however, since the material witnesses are yet to be examined, this Court concurs with the submissions made by learned State counsel that there can be a risk of the petitioner intimidating/influencing the witnesses, at this stage.

In the facts and circumstances as enumerated hereinabove, this Court finds no merit in the present petition and the same is, accordingly,

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

(MANJARI NEHRU KAUL)
JUDGE

18.02.2025

lucky

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No