



CRM-M-8197-2025

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

(1) CRM-M-8197-2025

Soyab

..... Petitioner

Versus

State of Haryana

.....Respondent

(2) CRM-M-17855-2025

Sahil

..... Petitioner

Versus

State of Haryana

.....Respondent

Date of Decision: 14.05.2025**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Liaqat Ali, Advocate, for the petitioner
in CRM-M-8197-2025.
Mr. Nikhil Vats, Advocate, for the petitioner
in CRM-M-17855-2025.
Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. This order will dispose of the above-mentioned two petitions as both the petitions have arisen out of same FIR.
2. Petitioners have approached this Court by way of present petition praying for granting regular bail in case FIR No.232 dated 14.04.2024 under Section 279, 337 IPC (Sections 307 and 34 IPC added lateron) registered at Police Station Chandni Bagh, District Panipat.
3. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Sandeep son of Pritam. It was alleged that on 13.04.2024 at about 11:40 p.m., the complainant alongwith his brother Vikram were going for a walk towards Siwah side after having dinner. When they reached in front of house of Rajesh, a white



mark Hyundai Creta car came from Siwah village at a high speed, which was being driver in a negligent manner and the same hit his brother Vikram. After causing accident, the car driver escaped from the spot with the car. Their father was informed about the accident. They shifted his injured brother to Ravindra Hospital, Panipat for treatment. Request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner was found and thus, they were arrested on 23.07.2024. The petitioners approached the Court of learned Additional Sessions Judge, (Fast Track Court), Panipat praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by Soyab vide order dated 05.09.2024 and dismissed the bail application filed by Sahil vide order dated 03.02.2025. Hence, the petitioners have approached this Court praying for grant of bail by way of filing the present petitions.

4. It has been vehemently contended by learned counsel for the petitioners that the petitioners have been falsely and frivolously implicated in the present case. It is submitted that evidently, the FIR in the present case was registered under Section 279, 337 IPC for an accidental case, however, in a due deliberation, challan was presented against the petitioners for the offence under Section 307 IPC. It is submitted that learned trial Court also framed charges for the offence under Section 307 IPC, which has been assailed by the petitioners before this Court by way of filing CRR-463-2025, in which this Court had stayed further proceedings before the trial Court vide order dated 20.02.2025. It is submitted that the petitioners are behind



bars from the date of their arrest, who have been falsely implicated in this case. He submits that no *prima facie* case is made out against the petitioners and thus, they deserve to be granted bail.

5. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioners. He has submitted that though initially the FIR in this case was registered for the offence under Section 279, 337 IPC, however, during investigation, offence under Section 307 IPC was also found to have been made and thus, challan was presented under Section 307 IPC as well. He submits that *prima facie* case has been made out against the petitioners. He further submits that as this Court had already stayed further proceedings before the trial Court, prosecution witnesses could not be examined. It is submitted that the petitioners are habitual offender as they are involved in other cases. He has placed on record the custody certificates of the petitioners.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the FIR in the present case has been lodged taking the occurrence as accidental case, however, during the investigation, offence under Section 307 IPC has been added. Thereafter, learned trial Court has also framed the charges under Section 307 IPC. This Court in CRR-463-2025 filed by the petitioners had stayed further proceedings before the trial Court. As reflected from the custody certificates, both the petitioners have suffered incarceration of 09 months & 21 days as on 13.05.2025. Though the petitioners are involved in other cases, however, in some cases, they are on bail.

7. The veracity of the allegations would be assessed only after the



conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail to the petitioners.

8. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. It is being clarified that in case the petitioners do not furnish bail/surety bonds within a period of one week from today, their custody will not be counted in the present case after one week.

10. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

14.05.2025
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE