



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

306

CRM-M-8114-2025

Date of decision: 3rd April, 2025

Narotam

...Petitioner

Versus

State of U.T., Chandigarh

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Naresh Chander, Advocate and
Mr. Balam Singh, Advocate for the petitioner.

Mr. Arav Gupta, APP, U.T., Chandigarh.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 85 dated 01.09.2023 registered under Sections 324, 341, 506 read with Section 34 of IPC (Section 307 added later on) at Police Station Sarangpur, Chandigarh.

2. The aforementioned FIR was registered under Sections 324, 341 and 506 read with Section 34 of IPC, on the basis of a written complaint lodged by the complainant Rinku, alleging therein that on the night of 29.08.2023, he was going towards the house of his maternal aunt, when on the way, he was intercepted by the accused Vijay @ Tapla, his brother Santosh and the present petitioner. Accused Vijay @ Tapla had previously caused injuries to him and the complainant had reported the matter to the



police but a compromise was effected. However, he was nursing a grudge against the complainant ever since then. The accused Vijay @ Tapla then proclaimed that he would teach him a lesson and then he along with the petitioner and co-accused opened an assault upon him by giving kicks and slapping him. The petitioner and the co-accused Santosh caught hold of his hands, whereas, accused Vijay struck a blow with sharp edged weapon on his back. 3-4 youths, whom he identified as Ashok, Shubham and Angrej, joined the accused and they also assaulted the complainant. On rescue alarm being raised by him, the assailants fled away while extending threat of life to the complainant. Investigation proceedings were initiated. Subsequently on receipt of the medical opinion, offence under Section 307 of IPC was added. The petitioner was arrested on 27.04.2024. Investigation stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody for a period about one year. Trial would take considerable time. The only attribution made to him is that of catching hold of left hand of the complainant. The injury which was opined to be dangerous to the life of the victim, had not been attributed to him. His further incarceration would not serve any useful purpose. He has no criminal antecedents. With these broad submissions, it is urged that the petitioner deserves to be released on bail.

4. Status report has been filed. It is argued by learned APP, U.T., Chandigarh, that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be released on bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.



6. The petitioner in furtherance of his common intention with the co-accused, is alleged to have caused an injury to the victim, which was opined to be dangerous to life. The actual injury, however, had not been attributed to the petitioner but to the co-accused Vijay @ Tapla. The petitioner is in custody since 27.04.2024. Trial is likely to take time since no witness has been examined so far. The petitioner does not have any criminal antecedents. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts and circumstances but without meaning to make any comment on the merits of the case, lest they prejudice the trial, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds by two sureties to the satisfaction of the learned trial Court/ Duty/Chief Judicial Magistrate concerned and further subject to the condition that during trial he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

3rd April, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*