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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-8448-2025 (O&M)
Date of Decision:- 12.05.2025

MUKESH

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. H.S. Batth, Advocate for the petitioner.
Mr. Vipul Sherwal, AAG Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
142	28.08.2024	191(3), 190, 115(2), 118(1), 109, 351(2) and 35(3) Bharatiya Nyaya Sanhita, 2023	Ismailabad, District Kurukshetra

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern whatsoever with the allegations levelled in the FIR nor has he participated in the crime. He contends that even no injury whatsoever has been attributed to the petitioner in the alleged



occurrence. He submits that the petitioner is in custody since 03.09.2024 and challan has been presented in Court and the conclusion of trial will take sufficient long time. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition, however, on a query, he has admitted that no injury is attributed to the petitioner in the alleged occurrence.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the injuries in the occurrence are allegedly attributed to co-accused Lalit. The petitioner is not alleged to have caused any injury to the victim in the alleged occurrence and is alleged to be only present at the spot. The petitioner was arrested on 03.09.2024 and after the conclusion of investigation, challan has been presented in Court, wherein during the course of trial, the prosecution has examined 9 witnesses out of 23 witnesses cited by the prosecution. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time and considering the fact that no injury has been attributed to the petitioner in the alleged occurrence, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of



learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

12.05.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No