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

CRM-M-11048-2025

Date of Decision:27.03.2025

ARUN KUMAR

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Gourav Verma, Advocate,
Mr. Ajay Gupta, Advocate &
Mr. Vishal Walia, Advocate
for the petitioner.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.0472 dated 12.07.2024, registered under Sections 115(2), 118(1), 118(2), 191(2), 190, 351(3) of BNS Police Station HTM Hisar, District Hisar.
2. The FIR in the present case was registered on the basis of the statement made by Aakash son of Surjeet Kumar and the same has been reproduced below:-

“Statement of Aakash, son of Surjeet Kumar, Resident of Sudama Nagar, Multani Chowk, Hisar, Age 24 years, Education: 10th



Pass, Mobile No. 8950721705: I, the undersigned, Akash, son of Surjeet Kumar, resident of the above-mentioned address, am engaged in private work. We are family of six siblings: two brother and four sisters. The elder is Subham, and I am the younger brother. My sisters are Kanchna, Neetu, Minu, and Jyoti. On the date of 11.07.2024, at approximately 7.00 PM, I went to visit my under-construction house located in Sudama Nagar, Hisar. Upon reaching there, I encountered my uncle Sanjay, son of Hari Chand: Asha, wife of Sanjay, Arun, son of Sanjay; Paras, son of Sanjay, all residents of Sudama Nagar, Hisar, and an unknown person. They approached the front of our under-construction house and demanded that I cease the construction work. When I attempted to reason with them they became enraged and began to assault me. Paras and Sanjay picked up a brick from the alley and struck me on my head and part of my body. Arun and another young man attacked me with knives; Arun's knife struck my abdomen, and the other man's knife hit my head. Following this, I fell to ground, and Paras took the knife from Arun and struck me on the head again. Subsequently, a crowd gathered, and all the assailants began to leave the scene, threatening that if I did not stop the construction, they would kill all of us. After they left, my family members arrived at the scene and admitted me the Government hospital in Hisar for treatment, but due to the absence of a doctor there, we proceeded to Sapra Hospital, Hisar where I am currently receiving medical treatment. I request the authorities to take strict legal action against those who attacked me without any reason. I am dictating my statement in the presence of my elder brother, Subham, son of Surjet. I have read and understood my statement, and it is correct. Sd/- Subham Aakash.”

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case by alleging that the petitioner had



caused an injury with a knife on the stomach of the complainant. By referring to the MLR Annexure R-1, learned counsel submits that the injury suffered by the complainant in the present case was a minor injury and the petitioner was wrongly arrested on 19.11.2024. He further contends that after the arrest of the petitioner, the investigation has already been completed and challan has been presented before the competent Court. He further submits that the co-accused Paras @ Babbu, Sanjay Kumar and Asha have been admitted to bail by this Court vide the orders Annexures P-3 to P-5.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that one more case under Sections 406/420 IPC has been registered against him and he does not deserve the concession of bail by this Court. He has also filed the status report by way of an affidavit of the Superintendent of Police, Hisar and the same is taken on record.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, even though it has been alleged that the petitioner had caused an injury with a knife on the stomach of the complainant, but the injured has already been discharged from the hospital and he is physically fit. The petitioner was arrested on 19.11.2024 and is in custody for the last four months. Since no witness has been examined so far, there are no chances of early conclusion of the trial.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his



furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

27.03.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No