

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

2025:PHHC:115841



109+226

CRM-M-10442-2025 (O&M)

Date of Decision: 28.08.2025.

Shamsher Singh

...Petitioner.

Versus

State of Haryana

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Davneet Sangwan, Advocate for the petitioner.

Mr. Pawan Kumar Garg, DAG, Haryana.

Mr. Kamal Nagpal, Advocate for the complainant.

SUKHVINDER KAUR, J. (Oral)

CRM-33958-2025

Prayer made in the application is for making correction in the Head note and prayer clause of the petition.

Keeping in view the averments made in the application, the same is allowed and Sections 238(c) and 117(2) of BNS are added in the Head note and prayer clause of the petition.

Registry is directed to make the necessary corrections in the head note and prayer clause of the petition.

Ordered accordingly.

Main case

Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in FIR No.496 dated 13.12.2024, under Sections 110, 191(3), 115(2), 351(3), 324(4), 238(c) and 117(2) of BNS, registered at Police Station Sector-17, HUDA Jagadhari, District Yamuna Nagar.

As per prosecution case, on 11.12.2024, after receiving ruqa from Government Hospital, Jagadhari, police party visited the said hospital for recording statement of one injured, namely, Shivam. However, the said injured was not found in that hospital. Later, on getting subsequent information in this regard, another hospital i.e. Gaba Hospital, Yamuna Nagar was visited by the concerned police party and statement of aforesaid Shivam was recorded on 13.12.2024. In his statement, the injured disclosed his name as Shivam Chhabra and stated that on 10.12.2024, at around 11.45 P.M., when he was travelling in the car of his brother-in-law, one Deep @ Shamsher signalled him to stop. When he stopped his car, said Deep @ Shamsher started abusing him and called his 2-3 companions, who were sitting in his car. They attacked him on his legs, face, arms, shoulders and head with iron rods. They also slapped and punched him and broke front and rear glasses of his car with sticks and rods. On raising alarm, people gathered and all the aforesaid persons fled away while snatching Rs.2,40,000/- and a mobile phone. The family members of complainant got him referred from Jagadhari Hospital to Gaba Hospital, Yamuna Nagar. On the aforesaid statement, the FIR in question was registered against the petitioner.

Learned counsel for the petitioner contended that the injury pertaining to Section 110 of BNS was mere swelling on the head and there was no visible injuries or stitches upon the head of the complainant. The petitioner has been falsely implicated in the present case. He was not having any motive to participate in the alleged occurrence and other injuries on the person of the complainant were found to be simple in nature. He has urged that as trial of the case is likely to take time, therefore, the petitioner be

granted concession of regular bail.

Learned State counsel has opposed the petition and submitted that the petitioner caused head injury on the person of the complainant and also got recovered an iron rod with which the said injury had been inflicted. He further contended that the petitioner has actively participated in the alleged occurrence and as such he is not entitled to the concession of regular bail.

Heard.

As per the allegations, the petitioner caused head injury on the person of the complainant with an iron rod. As per opinion of doctor concerned appended with the status report as Annexure A-6, the injuries on person of the complainant were not found to be dangerous to life. As per the custody certificate, the petitioner is in custody since 08 months and 12 days. As conclusion of trial is likely to take time, so no useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted to regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

(SUKHVINDER KAUR)
JUDGE

28.08.2025.

Komal

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