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

**CRM-M No.15599 of 2025
Date of decision : 16.09.2025**

Abhishek**.....Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ***********

Present :- Ms. Sushma Chopra, Advocate and
Mr. Chetan Gupta, Advocate (through VC)
for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

**********RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.321, dated 14.11.2024, under Sections 115, 126, 351(2), 3(5), 109(1) of BNS, registered at Police Station City Narwana, District Jind.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Badal Chahal son of Gurdayal Singh Chahal. It was alleged that on 11.11.2024, at about 3:00 P.M., the complainant along with his father went to the Gaushala and when he was waiting for his father outside the gate of Gaushala, a motorcycle stopped, which was being driven by Aman, Abhishek (petitioner) and one unidentified boy were sitting on the back. They started



abusing the complainant and in the meantime, Abhishek (petitioner) took out an ice-pick from his pant's pocket and stabbed the chest of the complainant. All three gave beatings to the complainant. On raising alarm, all three escaped from the spot of occurrence. The complainant was shifted to the Hospital by his father. Thus, the request was made to take the legal action against the accused. On registration of the FIR, the investigation commenced. The complainant was medically examined and the petitioner was arrested on 30.11.2024. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Jind praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Jind declined the bail application filed by the petitioner vide order dated 20.02.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. She has submitted that the petitioner is a teenager, who has been roped in the present case on the basis of exaggerated allegations. She has submitted that the petitioner is behind bars since the date of his arrest, i.e. 30.11.2024, however the complainant is intentionally not appearing before the learned trial Court so as to prolong the incarceration of the petitioner. To buttress her arguments, she has placed on record zimni order dated 10.09.2025 passed by the learned trial Court wherein the nonailable warrants have been issued for securing the presence of the complainant for

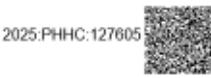


01.10.2025. She has submitted that it is evident that the complainant do not want to testify before the learned trial Court so as to prolong the incarceration of the petitioner. She has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. She has submitted that thus in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State however has vehemently opposed the submissions made by learned counsel for the petitioner. She has submitted that there are specific allegations against the petitioner. She has submitted that the injury given by the petitioner to the complainant was declared dangerous to life. She, on instructions, has submitted that out of total 16 prosecution witnesses, none has been examined so far. She has produced custody certificate of the petitioner today in the Court and the same is taken on record.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the occurrence in the present case has taken place on 11.11.2024. The petitioner was arrested on 30.11.2024 and since then, he is behind bars. The order passed by the learned trial Court would show that in order to secure the presence of the complainant, non bailable warrants have been issued against him. Investigating Officer, namely, SI Kuldeep Singh, is present in the Court and on asking of the Court regarding any representation for threatening the complainant has been filed, he has denied the same. Custody certificate produced would show that the petitioner has completed an incarceration of 09 months and 15



days as on 15.09.2025. Custody Certificate further shows that the petitioner is not involved in any other case. Out of 16 prosecution witnesses, no witness has been examined till date.

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.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

16.09.2025

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

(RAJESH BHARDWAJ)
JUDGE