



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

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CRM-M-13499-2025
Date of decision: 04.09.2025

KAMLESH ALIAS KAMLA

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Saurabh Sharma, Advocate
For the petitioner.

Mr. Ved Parkash, Senior DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

CRM-10229-2025

Application is allowed as prayed for and Annexures P-1 to P-5
as well as the impugned order dated 07.03.2024 are taken on record.

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The instant first petition is for seeking concession of regular
bail in case bearing FIR No. 432 dated 09.10.2023 registered under Sections
323, 324 and 34 of the Indian Penal Code, 1860 (Section 302 of the IPC was
added later on) at Police Station Pundri, District Karnal.

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2. The material facts of the present petition are that on 08.10.2023, information was received at Police Station Pundri from General Hospital, Kaithal, regarding Dharambir, son of Ram Kumar, who had been referred to PGI, Chandigarh, with serious injuries. The medico-legal report revealed two injuries, including one caused by a sharp-edged weapon. On 09.10.2023, the doctors at PGI declared the victim unfit to give a statement. Thereafter, a written complaint was lodged by Smt. Kamlesh, wife of Dharambir, alleging that following an altercation with accused Kamla, her son Aman arrived armed with a spade (kassi) and inflicted repeated blows on Dharambir's temple, rendering him unconscious. The assailants fled the spot, and the victim was shifted from General Hospital, Kaithal, to PGI, Chandigarh, for further treatment.

3. Learned Counsel appearing on behalf of the petitioner contends that as per the prosecution version, the petitioner had a verbal altercation with the wife of the deceased and during the course of such altercation, co-accused-son of the petitioner came from behind and inflicted injury upon the deceased Dharambir with a spade. He contends that the petitioner neither instigated the co-accused to cause injury nor is alleged to have caused any injury to the deceased. He further submits that the petitioner has already undergone an actual custody of 01 year, 09 months and 23 days and she does not suffer from any criminal antecedents. It is also submitted that only 02 witnesses out of total 16 witnesses have been examined so far.

4. Counsel for the respondent-State on the other hand submits that had it not been for the verbal spat between the petitioner and widow of the deceased Dharambir, the incident in question would not have taken place.



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Hence, she had acted in connivance with her son in causing injury.

5. I have heard learned counsel appearing on behalf of the respective parties and going through the specific averments noticed above.

6. In view of the facts noticed above and taking into consideration the absence of any specific injury being attributed by the petitioner, the stage of trial, the period of custody as well as the clean antecedents, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

SEPTEMBER 04, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No