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

CRM-M-13963-2025

Date of Decision: 19.11.2025

Kirtiman

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Shubham Rana, Advocate, for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.349 dated 02.10.2024 under Sections 191(3), 190, 115(2), 118(1), 118(2), 351(2), 238 of BNS, 2023 (Sections 118(2) and 238 added lateon) registered at Police Station Ambala City, District Ambala.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Karan. It was alleged that on the intervening night of 29/30.09.2024, the complainant alongwith his brother and cousins were having dinner near Railway Station at around 12:30 a.m. Then 6-7 boys were beating a Sikh boy. When they went to save the Sikh boy, they saw Kirti Bachcha (petitioner), Vishal, Vicky, Sumit, Vikas, Pankaj, Satish Nai, Sunny Savaria and Patha were beating that boy. On seeing the complainant side, they started abusing them and some of the boys caught hold him and a boy in check shirt and black lower stabbed him on the left side of his stomach. On receiving the injury, the complainant became unconscious and thereafter, his brother shifted him to Civil Hospital, Ambala City from where he was referred to PGI, Chandigarh. Thus, request was made to take legal action. On registration of



the FIR, the investigation commenced. The injured was medico legally examined. The petitioner was arrested on 22.10.2024. On completion of the investigation, the challan was presented. The petitioner approached the Court of learned Additional Sessions Judge, Ambala praying for the grant of bail, however after hearing both the sides and finding no merit in the same, learned Court declined the bail application filed by the petitioner vide order dated 21.11.2024. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that the allegations against the petitioner are only to the effect that he was part of the unlawful assembly. He submits that grievous injury which was given by stabbing, has been attributed to the co-accused but not to the petitioner. He submits that the petitioner is behind the bars since the date of his arrest, however, only one witness i.e. the complainant has been examined till date. He submits that though the petitioner is involved in two other cases, however, in one case, he has been acquitted, whereas, in another case he is on bail. He, thus, submits that in the facts and circumstances of the present case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner is not only specifically named in the FIR, but overt act has also been attributed to him. It is submitted that the complainant has suffered serious injuries though the same is attributed to the co-accused. On instructions from ASI Susheel Kumar, he has submitted that out of total 13



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prosecution witness, 01 witness has been examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner has been alleged to be the part of the unlawful assembly. The grievous injury has been attributed to the co-accused. The custody certificate would show that the petitioner has suffered incarceration of 01 year & 27 days as on 18.11.2025. It further shows that the petitioner is involved in two other cases, out of which in one case, he is on bail and in one case he has been acquitted.

6. 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. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. 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.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

19.11.2025

sharmila

Whether Speaking/Reasoned :

Whether Reportable :

Yes/No

Yes/No

**(RAJESH BHARDWAJ)
JUDGE**