



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

CRM-M-17754-2025

Reserved on: 12th August, 2025

Pronounced on: 20th August, 2025

Jitender @ Sahil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Baljeet Nain, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 413 dated 10.09.2023 registered under Sections 323, 341, 506 read with Section 34 of IPC (Section 307 of IPC added later on) at Police Station Jind Sadar, District Jind, Haryana.

2. As per the allegations, on 09.09.2023, Deepak @ Deepu and Shera had taken the victim Pradeep, brother of complainant Manju, from his house for a walk. Pradeep did not return home that night. His phone was also found to be switched off. On the next morning, the complainant received a call on her phone, informing her that her brother was lying near the railway crossing. She rushed there and saw her brother lying there in an injured condition. He disclosed that accused Deepu and Shera had caused injuries to



him. The victim was taken to the hospital. Initially, a case under Sections 323, 341 and 506 read with Section 34 of IPC, was registered. Investigation proceedings were initiated. During investigation, offence under Section 307 of IPC was added. The above-named Shera was found to be innocent. The accused Deepak @ Deepu was arrested on 06.10.2023. He suffered disclosure statement on the basis of which the present petitioner was nominated as an accused and was arrested on 03.11.2023. On interrogation, he too suffered disclosure statement alleging that a verbal altercation had taken place between him, co-accused Deepak, and the victim on the night of 09.09.2023, when all of them were under the influence of liquor. The victim had hurled abuses at him and feeling offended, he had caused injuries to the victim with a nut key and a screwdriver to him. Investigation now stands completed and the petitioner along with the co-accused Deepak is facing trial for the commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He has been in custody since 03.11.2023. Trial will take considerable time to conclude. A false recovery has been planted upon him. His further incarceration would not serve any useful purpose. It is, therefore, urged that the petitioner deserves to be released on bail.

4. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be released on bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. Rival contentions raised by learned counsel for the parties have



been considered.

6. The petitioner in furtherance of his common intention with the co-accused is alleged to have caused injuries to the victim as on the night of 09.09.2023. The injury No.2 was declared to be dangerous to life. The material witnesses have since been examined. The trial will take considerable time to conclude since only five out of sixteen witnesses have been examined so far. The petitioner does not have any criminal antecedents. His further incarceration would not serve any useful purpose. It is well settled proposition of law that bail is the rule and jail is an exception. In view of the above discussed fact, this Court is of the considered opinion that the petitioner makes out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds of two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

20th August, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |