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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(227)

CRM-M-19606-2025 (O & M)
Date of decision:04.09.2025

Dilawar

..... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

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

Mr. Vipul Sherwal, AAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 439 Cr.P.C. is for the grant of the regular bail to the petitioner in case FIR No.524 dated 05.09.2022 under Sections 323, 307, 452, 506, 34 IPC (Section 325 IPC added later on) registered at Police Station Adampur, District Hisar.

2. The present FIR came to be registered at the instance of Bhagwan Das and reads as under:-

"Statement of Bhagwan Das son of Siya Ram caste Bishnoi resident of Village Bhana aged 26 years education 10+2 Mobile No.9466225429. Got his statement recorded that I am a resident of the aforesaid address and I work in E-card company in Market Adampur. We are three brothers and sisters. Eldest sister Suman younger to her Asmila and the youngest one myself. The marriage of my eldest sister Suman was solemnized

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around 10 years back with Pramod son of Hari Singh resident of Village Sadalpur. My sister Asmila is also married there itself. My brother in law Pramod son of Hari Singh and his neighbourer Ankit son of Vinod residents of Village Sadalpur have been doing milk dairy in the name of Shree Ram near Banwari Hospital opposite of Union Bank Market Adampur since the past around 05 years. On dated 04.09.2022 I around 09:00AM had come to meet my brother in law Pramod and Ankit in the milk dairy. I after meeting my brother in law Pramod and Ankit was going to get medicines from medical shop near the dairy. At that moment a Swift car bearing registration number HR26-DX-3387 came and stopped in front of the dairy. Three young boys whom I recognise. The name of the first boy is Dilawar son of Nagina caste Balmiki resident of Adampur in whose hands was sharp edged weapons. Second boy named Vijay son of Suraj Bhan resident of Adampur in whose hands was stick and the third boy Deepak @ Tony son of Om Prakash resident of Adampur. As I was seeing Dilawar and Vijay entered the dairy of my brother in law Pramod and Deepak @ Tony stood at the gate of the dairy. I on hearing the noises coming from inside the dairy I ran and reached outside the dairy and saw that Dilawar and Vijay were causing injuries to my to my brother-in-law Parmod and Ankit and Deepak while standing outside the milk dairy was saying that kill them. Today they should not be safe at any cost. Then I tried to save my brother in law Pramod and Ankit and shouted out then on seeing the persons from the neighbourhood coming there the three of them ran away from the spot along with their weapons in Swift car bearing registration number HR26-DX-3387. Deepak was driving the car. Then I went to my brother in law Pramod and he was lying unconscious. There were multiple injuries on the head of my brother in law Pramod and Ankit and



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lot of blood was flowing. Then I with the help of people in the neighbourhood and by arranging a vehicle were taking Pramod and Ankit to Civil Hospital Adampur then on the way Ankit also became unconscious. Then I got my brother in law Pramod and Ankit admitted in Civil Hospital Adampur. The doctor after administering first aid due to head injuries referred them to Agroha Medical. Then we brought my brother in law Pramod and Ankit to Agroha Medical in ambulance and after getting the treatment done there and after discussing with family members brought my brother in law Pramod and Ankit to Sapra Hospital Hisar where Pramod and Ankit are getting treatment. Dilawar, Vijay and Deepak have caused life threatening injuries to my brother in law Pramod and Ankit with their weapons with intention to kill. Strict legal action be initiated against the three of them. At this moment my brother in law Pramod and Ankit are in unconscious state and are battling for their life. I have got my statement recorded in the presence of father of my brother in law Pramod namely Hari Singh son of Bhajan Lal resident of Sadalpur which I have read, understood and found to be correct. SD/- Bhagwan Dass Hari Singh

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The injury attributed to the petitioner cannot be said to be dangerous to life. Two co-accused, namely, Deepak @ Tony and Vijay Kumar @ Vijay have been granted the concession of bail by this Court vide orders dated 15.05.2023 and 29.01.2025 respectively. As the petitioner is in custody since 29.09.2022 but only 13 out of the 17 prosecution witnesses have been



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examined so far, the Trial of the present case is not likely to be concluded anytime soon. Therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, while referring to the reply dated 06.07.2025 contends that the petitioner is the main accused. Injury No.1 on the person of Ankit is stated to be dangerous to life and has been attributed to the petitioner. As per the CCTV footage of the occurrence, Deepak @ Tony handed over a wooden *danda* to the petitioner who inflicted injuries upon Parmod and Ankit. A stick alongwith iron strips affixed upon it has been recovered from the petitioner which has been used to cause head injuries on the person of Parmod and Ankit. As 13 out of the 17 prosecution witnesses already stand examined, therefore, the Trial is at its fag end. Hence, the petitioner is not entitled to the concession of bail.

5. I have heard the learned counsel for the parties.

6. A perusal of the FIR would reveal that the petitioner is a main accused having caused injuries on the head of Parmod and Ankit which have been declared to be dangerous to life and grievous. A stick with iron strips affixed upon it has been recovered from the petitioner which has been used in the commission of offence. As many as 13 out of the 17 prosecution witnesses have been examined so far and therefore, the Trial is at its fag end. Two earlier bail applications of the petitioner were dismissed as withdrawn on 10.05.2024 and 13.01.2025 respectively. No significant change in circumstances has been pointed out entitling the petitioner to the grant of concession of bail.

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7. In view of the above, I find no merit in the present petition. Therefore, the same stands dismissed.

8. However, the Trial Court is directed to conclude the Trial as expeditiously as possible.

9. The pending application(s), if any, shall stand disposed of accordingly.

September 04, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No