



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20307-2025 (O&M)
Date of decision: 02.07.2025

Surender @ Cheta
... Petitioner
Versus
State of Haryana
... Respondents

CORAM: HON’BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ajay Poonia, Advocate, for
Mr. Devender Arya, Advocate,
for the petitioner.
Mr. Pawan Kumar Jhanda, DAG, Haryana.

SANJAY VASHISTH, J. (ORAL)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s))	FIR No.	Date	Section(s)	Police Station	District
Surender @ Cheta	283	19.11.2024	115, 126, 190, 191(3), 351(3) of BNS [Sections 109, 117(2) added lateron]	Sahlwas	Jhajjar

2. As per allegations, complainant Pawan along with his brothers, namely, Surender and Hawa Singh, was travelling together on a Tractor. When they reached near the room of Bagarwath, 8-10 boys came in white-coloured cars from the direction of village Bahu and blocked the tractor from the front and back side. Thereafter, Harkesh and his brother Paramjit,



sons of Bajrang, assaulted the complainant and his associates using hockey sticks and wooden logs etc.

3. Mr. Pawan Kumar Jhanda, learned Deputy Advocate General, Haryana, who is present in Court on advance copy, produces the custody certificate dated 01.07.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

4. Learned Deputy Advocate General, Haryana, argues that after investigation, accused Bajrang and Paramjit were declared innocent. However, Harkesh and six others, including one Surender, were challaned. Except of Harkesh and Surender @ Cheta (petitioner herein), all other accused have already been released on bail.

5. Upon being asked by the Court, learned State counsel further informed that neither the name of Surender is mentioned in the FIR nor any specific injury has been attributed to him. He submits that the investigation is complete and the challan has already been submitted, however, charges are yet to be framed. Although there has been no assistance from the petitioner's side, yet on the basis of assistance provided by learned Deputy Advocate General, Haryana, I have considered the prayer for bail, as made in the instant petition. I find that all other five accused, namely, Prince, Rohit, Atul, Yogesh and Harsh, have already been released on bail, and there appears to be no specific reason to deny the same concession to the present petitioner. As already informed, no arms were recovered from the petitioner nor any specific injury has been attributed against him, it is clear that his involvement is yet to be ascertained during the course of the trial.



6. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. Petition stands disposed of.

(Sanjay Vashisth)
Judge

02.07.2025

Rajan

Whether speaking / reasoned:
Whether Reportable:

Yes/No
Yes/No