



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

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CRM-M No.21367 of 2025 (O & M)
Date of decision : 29.4.2025

Pardeep**.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

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

Mr. Karan Garg, AAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.428 dated 23.12.2024, under Sections 109 (1), 115, 126, 232 (2), 3 (5), 351 (2) of BNS (After investigation Section 109 (1) is converted to Section 110 of BNS), registered at Police Station Israna, Panipat.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Respected SHO, PS Israna, Panipat, it is request to you that I Virender s/o Manphool r/o village Naultha, Panipat working as a farmer. That on 22.12.2024 I went to fields, at about 7:30 PM my neighbour Karan Singh told me to compromise in the FIR No.50/2021 otherwise he would kill the me and my family. I avoiding the altercation move towards my house. At about 8:00 PM, when I reached near Canara Bank, Ankit son of Sukram



Pal stopped his motorcycle in front of me and hit with gandasi on my waist. Thereafter, he called his brothers by making phone call who were also having gandasi and danda. Pardeep, Tinku and Karan armed with danda and gandasi came and Pardeep hit me 2/3 times with gandasi on my head. Tinku armed with Darati/sickle hit on the waist, thumb and elbow. Karan armed with danda and he hit me several times on my shoulder and waist. In the meantime, many persons gathered at the spot, upon which the accused persons fled the spot with their weapons. kindly take necessary legal action against the accused.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 23.12.2024. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question on account of a long standing dispute between the FIR-complainant and one Karan Singh. Learned counsel for the petitioner has further submitted that, assuming *arguendo*, prosecution case is taken to be correct, the injury attributed to the petitioner has been found by the concerned doctor to be simple in nature. Learned counsel has further iterated that the offence under Section 110 of BNS is not made out against the petitioner. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 28.4.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 23.12.2024 whereinafter



investigation was carried out and challan stands presented on 18.3.2025. Total 12 prosecution witnesses have been cited out of which none has been examined till date, in fact, the charges are yet to be framed. The rival submissions made by learned counsel for the parties give rise to contentious issues which shall be essentially ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence. As per custody certificate dated 28.4.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 4 months and 5 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before



the trial.

(iv) The petitioner shall not commit any offence while on bail.

(v) The petitioner shall deposit his passport, if any, with the trial Court.

(vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.

(vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(SUMEET GOEL)
JUDGE

29.4.2025
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No