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

CRM-M-23871-2025

Date of Decision:16.07.2025

UMESH @ PISTOL @ UMESH KUMAR

...PETITIONER

VS.

STATE OF HARYANA

....RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Chanderhas Yadav, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.313 dated 14.10.2024, registered under Sections 191(3), 190, 115(2), 118(1), 110, 351(2), 126(2) of BNS, 2023, Police Station Sadar Dadri, District Charkhi Dadri.

2. Learned counsel for the petitioner contends that the petitioner has been involved in the present case due to party fraction in the village. As per the case of the prosecution, the petitioner was armed with an iron rod and gave blow with it on the head of the complainant. However, the injured has already been discharged from the hospital. He further contends that an iron rod has been recovered from him. The petitioner was arrested in the present case on 22.10.2024 and is in custody for the last about 09 months. Even, the challan has been presented against him. He further contends that his co-accused namely



Subhash has been granted the concession of regular bail by this Court on 10.03.2025 (Annexure P-4).

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. It is admitted that injury suffered by Suraj has been declared to be simple in nature. The petitioner is in custody for the last about 09 months and only 02 witnesses has been examined so far. Moreover, a similarly placed co-accused namely Subhash has been granted the concession of regular bail by this Court on 10.03.2025 (Annexure P-4). Thus, the further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.



(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(viii) The petitioner shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha. In case, he does not report on every 1st Monday before the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Haryana shall be at liberty to move an appropriate application in this regard.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

16.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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