



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

255

1.

CRM-M No.25106 of 2025
Date of decision: July 7th, 2025
- Suresh Kumar @ Gori Shankar

.....Petitioner
- Versus
- State of Haryana

.....Respondent
2.

CRM-M No.26594 of 2025
- Gurmeet alias Virat

.....Petitioner
- Versus
- State of Haryana

.....Respondent
3.

CRM-M No.32828 of 2025 (O&M)
- Ram Chander

.....Petitioner
- Versus
- State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jagdeep Singh Rana, Advocate
for the petitioner (in CRM-M-25106-2025).

Mr. Sunil Goswami, Advocate
for the petitioner (in CRM-M-26594-2025).

Mr. Ramnish Puri, Advocate
for the petitioner (in CRM-M-32828-2025).

Mr. Yuvraj Shandilya, Assistant Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

The present batch of petitions is being disposed of by way of
this common order, as all the petitions arise out of the same FIR i.e.

FIR No.463 dated 25.11.2024 under Sections under Sections 115, 126, 190, 191(2), 191(3), 351(2) of The Bharatiya Nyaya Sanhita (BNS), 2023 and later on added Sections 115(2), 126(2), 117(2) and 117(3) of the BNS registered at Police Station Sadar Jind.

2. Learned counsel for the petitioners submit that in a case of version and cross-version, petitioner-Suresh Kumar is in custody since 25.12.2024 and petitioners Gurmeet and Ram Chander are in custody since 24.12.2024. It has been submitted that while petitioners Suresh Kumar and Gurmeet were alleged to be armed with *lathis*, petitioner Ram Chander was alleged to be armed with a *gandasi* with which injuries were inflicted upon the complainant party. It has been argued by the learned counsel appearing for the parties that the relations between the parties had soured just a few days prior to the occurrence in question on account of some transaction pertaining to a house. It has still further been submitted that in the occurrence in question, ten persons from the side of the accused in the FIR version had sustained injuries at the hands of the complainant party; in contrast, five persons had allegedly been inflicted injuries by the accused/petitioners herein. It has still further been submitted that since challan already stands presented against the petitioners, their further incarceration would serve no useful purpose as the possibility of the trial concluding in the near future does not arise as charges have not yet been framed, coupled with the fact that as many as 30 prosecution witnesses have been cited.

3. *Per contra*, learned State while opposing the prayer and submissions made by the counsel opposite, on instructions, has neither disputed the custody period of the petitioners nor has he disputed that

investigation qua all the petitioners is complete with the challan having been presented. It has also not been disputed that the charges are yet to be framed and as many as 30 prosecution witnesses have been cited. On further instructions, it has not been controverted that the parties are immediate neighbours and it is a case of version and cross-version; the occurrence in question took place in the street outside the houses of the parties and both the parties sustained injuries at the hands of each other. However, learned State counsel has reiterated the allegations levelled in the FIR in question (Annexure P-1), which is reproduced hereinbelow, and has further submitted that on account of the *lathi* blow inflicted by petitioner Ram Chander, the complainant had sustained fracture on his hand; petitioner Ram Chander had also inflicted a *gandasi* blow on injured Kali Ram, Dhoop Singh and the complainant, resulting in simple injuries to Dhoop Singh and the complainant; Kali Ram on account of the injury inflicted by all the accused, lost one of his eyes.

RELEVANT EXTRACT OF THE FIR:

“To, Police Post Incharge. PP CRSU JIND. Sir, I request that I, Rahul s/o Shri Kaliram, am resident of village Ghimana and do Electric work. We are 2 brothers and a sister, the eldest is my brother Jaipal, younger to him me and the elder sister is Pooja. On 24.11.2024, at around 7.00 (8:00) o'clock in the evening, I was going from my house to my grandfather Sewa Singh with food. In the meantime, Ramchander S/o Hawa Singh, who was holding Gandasi In his hand and his sons Samrat and Virat, they too had sticks in their hands, blocked the way in the street and immediately all of them started beating me. During this, my father also came there and my father started trying to rescue me. Then all the above started beating my father also. After some time, Sanjay S/o Jai Bhagwan, Sombir S/o Jai Bhagwan, Shamsher S/o Hawa

Singh and his 2 sons Amit and Pramod sons of Shamsher, Gulab S/o Hawa Singh and his 3 sons Naseeb, Gauri, Praveen, Rammeshwar S/o Hawa Singh and his 2 sons Krishan and Tarsem and Pradeep S/o Rajbir and Tejpal S/o Sher Singh came to the spot with Sticks and Gandasi in their hands and started beating us. During this period our family member Dhoop Singh S/o Sewa Singh, Kaliram S/o Sewa Singh, Jaswant S/o Badlu, Johnny S/o Kapura, Ramkumar S/o Sudan came there to rescue. Then all the above have also caused injuries to them one by one. Then, after rescuing, we all went to the Government Hospital, Jind for treatment. All the above also threatened to kill us while leaving. Legal action should be taken against all the above who have inflicted injured to us. This quarrel had taken place regarding transaction of a house.”

4. On a pointed query, learned State counsel submits that the next date fixed before the trial Court is 17.07.2025 when in all likelihood charges would be framed.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. Petitioner-Suresh Kumar has been in custody since 25.12.2024 and petitioners Gurmeet and Ram Chander have been in custody since 24.12.2024. It is case of version and cross-version, wherein injuries were suffered by both the sides at the hands of each other. The trial is unlikely to conclude in the near future as charges have not yet been framed. In the mode and manner in which the occurrence has taken place, coupled with the nature of injuries sustained by either side, this Court deems it fit to extend the concession bail to the petitioners. Accordingly, the petitions are allowed. Petitioners Suresh

Kumar @ Gori Shankar, Gurmeet alias Virat and Ram Chander be admitted to bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to say, in case the petitioners misuse the concession of bail, the State would be at liberty to seek cancellation of the same.

9. Copy of this order be placed on the file of each of the connected case.

July 7th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No