

2025:PHHC:075854



CRM-M No.27765 of 2025

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

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**CRM-M No.27765 of 2025
Date of decision : 11.6.2025**

Dinesh Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sharad Choudhary, Advocate, for the petitioner

Mr. Gurmeet Singh, 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.23 dated 27.1.2025, under Sections 190, 191 (2), 191 (3), 115 (2), 333, 351 (2), 110, 61 (2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Badhra, District Charkhi Dadri.

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

'To, SHO Sahib Thana Badhra, Ch. Dadri, Sir, I humbly request that I Ravindra alias Babbal S/O Umed Singh is a resident of village Mehra and I work in land related matters. I and Pawan alias Jitendra S/O Risal Singh resident Dhanasari had bought 4 acres of land in the boundary of Bhandwa village on Loharu Road Badhra Road in 2019. Both of us were equal shareholders, Jitendra alias Pawan made 5 more partners in his share. Dinesh PII resident Satnali Ka Bas Hall Abad near Mittal Petrol Pump, Suresh S/Ishwar Master Ji resident Dhanasari, Dinesh S/O Ishwar



resident Paluwas, Sombir S/O Challuram resident Bhopali, Vijay S/A Vidyanand resident Hansavas Khurd have been made partners. For about 7/8 months, all the above partners were arguing about taking the free land. About 4 months ago a scoundrel named Amit Fatehgarh threatened me over the phone that the land ahead belongs to me and my partners. If you interfere in it I will kill you. On 24.01.25 at about 3.40 PM I, Dharmender alias Dharam S/O Ramkan Bhandwa resident, Manendra S/O Jaichand Bhandwa, Dharmender's maternal uncle's son Naresh alias Sonu S/O Devender resident of Bhiwani Shanti Nagar, Dharmender and I were sitting in our plot when suddenly 8 young boys came to us with sticks and asked who is Babbal. I said it was me. On which all of them started beating me with sticks and beat me badly and said that Amit Fatehgarh has sent us and if we do not vacate this land immediately we will shoot you. After this all of them fled in 2 cars, 1-20 and Swift car. This attack was carried out by Amit Fatehgarh, Jitendra alias Pawan, Suresh Dhanasari, Dinesh Patuwas, Sombir Bhopali, Vijay Hansawas Khurd, Dinesh Satnali Ka Bas (Dadri), Sandeep Dhani Surja to grab my land. Seven to eight unknown people have hatched a dictatorial conspiracy. You are requested to take strict legal action against all the above accused. Sd/- Ravinder Applicant Ravindra 10 Umed Singh resident of Mehra Chak Dadri, 9813477393, 27.01.2025 Police Action On 24.11.2025, ASI present in town Badhra, MHC police station informed over phone that a fight is going on at Bhandwa road, you should reach the spot. Thereafter, ASI Reached the spot of incident Plot Ravindra alias Babbal s/o Umed Singh r/o Mehra and called PCR-7 for assistance where Dharmender alias Dharam S/O Ramkaran R/O Bhandwa and Naresh S/O Devender Bhiwani were present who told that 7/8 unknown boys have beaten Ravindra alias Babbal and have taken Ravindra to hospital. Thereafter, ASI alongwith PCR-7 staff reached Gopi CHC and passed the MLR of Ravindra alias Babbal S/O Umed R/O Mehra in which Ravindra was referred to GH Dadri. We Contacted on the mobile number mentioned in the MLR and the mobile number of the friend who had gone with Ravindra told that Ravindra has been admitted to Kadam Hospital, Bhiwani. Thereafter reaching Kadam Hospital, Application regarding Pt. Ravindra's fitness was presented to the Doctor Sahab and Pt. Ravindra was declared Unfit for Statement. Dharmender and family members present at Kadam Hospital asked Ravi to give his statement, who said to give it in the future. On 26.11.2025, Ravindra's fitness was enquired over the phone but, he



was declared Unfit. Today, on 27.01.2025, ASI along with Ct. Mahender 757/DDR government vehicle HR-19GV-1011 reached Kadam Hospital Bhiwani and submitted an application about PL. Ravindra's fitness, which Dr. Sahib wrote as Fit for Statement. Thereafter, Pt. Ravindra reached the ward to S/o Umesh R/o Mehra, where Ravindra submitted the above mentioned application in writing. In the MLR No. PKS/GOPI/133/2025 dated 24.01.2025 Ravindra has a total of 5 injuries classified as Blunt, in his report. All the injuries have been reported in the Ortho Opinion report. As per the gist of the above application, if crime under sections 190, 191(2), 191(3), 115(2), 333, 351(2), 61(2) BNS 2023 has been found to have happened and the report is being written and sent to the police station through Ct. Mahendra 757/DDR for registering a case. After registering the case, inform the case number. The ASI has informed the FSL team about reaching the spot over the phone. The higher authorities have been informed about the situation and the ASI is leaving for the spot. Today Kadma Hospital, Bhiwani Sd/- ASI Surender Singh 35/DDR PS Badhra, 27.01.2025 at 02.00 PM Today, on receipt of the complaint in the police station through Ct. Mahendra 757/ Dadri, A Case No. 23 dated 27.01.2025 under sections 190, 191(2), 191(3), 115(2), 333, 351(2), 61(2) BNS 2023 at PS Badhra has been registered and the copy of the original complaint is being sent to the personal investigating officer of through constable to ASI Surender 35/ Dadri through a regular note. The copied FIR is being sent for the information of the Area Magistrate and officers. This case was registered in the presence of L/HC Sushila 324/ Dadri.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 20.3.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further iterated that the petitioner is similarly placed as co-accused Jitender alias Pawan, who has been granted the concession of regular bail vide order dated 26.5.2025 passed in CRM-M No.27925 of 2025. 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. However, learned State counsel has submitted that the petitioner is identically placed as co-accused Jitender alias Pawan, who has been granted the concession of regular bail on 26.5.2025 in CRM-M No.27925 of 2025. Learned State counsel seeks to place on record custody certificate dated 10.6.2025 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 20.3.2025 whereinafter he was granted interim medical bail on 7.4.2025 up till 10.5.2025. Nothing has been brought forward to indicate that the petitioner has misused the concession of said interim bail. Challan already stands presented wherein 20 prosecution witnesses have been cited and none has been examined till date and thus, indubitably the trial will take its own time. It is not in dispute that the petitioner is similarly placed as co-accused Jitender alias Pawan, who has been extended the concession of regular bail vide order dated 26.5.2025 passed in CRM-M No.27925 of 2025. As per the custody certificate dated 10.6.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of one month and twenty 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.

(SUMEET GOEL)
JUDGE

11.6.2025
Ashwani

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