

CRM-M-28058-2025

-1-

243 (2)

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

CRM-M-28058-2025

Date of Decision: 26.05.2025

ARYAN

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

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

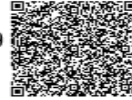
Present : Mr. Surinder Singh Duhan, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.241 dated 23.08.2024, registered under Sections 190, 193(3), 115, 118(1), 324(4), 333, 109(1) & 61(2) of BNS, 2023 & Sections 25, 54, 59 of Arms Act, 1959, (Section 191(3) wrongly typed in the order dated 07.04.2025 passed by Ld. ASJ, Jind in place of 193(3)) Police Station Sadar Safidon, District Jind.
2. The FIR in the present case was registered on the basis of the statement made by Karampal and the same has been reproduced below:-

“To the SHO, Police Station Sadar Safidon, Sir, it is submitted that I Karampal S/o Balwan Singh, Caste Jat, is resident of Hatt. Today, dated 22.08.2024 at about 8:45 PM, I along with my friends were sitting in a room of our house situated at the road of our village Hatt to Harigarh. At that time suddenly 3 vehicles



and 2-3 motorcycles stopped in front of our house, from which 15-20 boys having lathi, dande and other weapons alighted from vehicles and attacked us with lathi's and danda's. In which Sanju S/o Pale Ram, Amit S/o Ramesh, Rohit @ Golu S/o Jaipal, Raju S/o Sadhu Ram, village Hatt were given injuries. Who were sent to hospital for treatment. All these were sitting with me at the time of incidence. The persons who have brutally attacked us, while entering my house broke the items of the house and motorcycle standing in the lawn. I and my friend Narinder S/o Baljor, Village Harigarh, Manveer S/o Balbir, Village Harigarh and Anil S/o Randhir R/o village Hatt saved us by entering the room and closing the door. Those who attacked us fired directly at us with the intention of killing us, in which two fires hit on the door. Two empty cartridges are lying in the courtyard of my house due to fire of bullet. I am having suspicion that Naresh @ Buchha S/o Ajmer, Caste Jat, resident of Village Sarfabad and his brother Suresh S/o Ajmer have got this attack upon me. Because we have grudges between us with regard to liquor vend. Legal action be taken against the persons who have attacked us, smashed while entering in the house and attached with intention to kill by firing bullet shot. Applicant name Karampal S/o Balwan”.

3. Learned counsel for the petitioner contends that as per the allegations levelled by the complainant, Naveen and Deepak had fired shots from their respective country-made pistols but no person had suffered fire arm injury in the present case. The petitioner was not initially named and has been named in the supplementary statement made by the complainant, after allegedly watching the CCTV footage. He next contends that the petitioner was arrested in the present case on 04.12.2024 and is in custody for the last almost 06 months. Even no recovery was made from the petitioner. He further submits

**CRM-M-28058-2025**

-3-

that the other co-accused namely Rahul, Sagar, Kuldeep, Pankaj and Dinesh have already been released on bail.

4. On the other hand, learned State counsel assisted by learned counsel for the complainant have 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. He further submits that the petitioner is also involved in other cases.

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

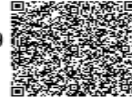
6. In the present case, the petitioner was arrested on 04.12.2024 and is in custody for the last almost 06 months. Moreover, similarly placed Rahul, Sagar, Kuldeep, Pankaj and Dinesh have already been released on bail. Thus, the further custody of the petitioner will not serve any useful purpose.

7. 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.



CRM-M-28058-2025

-4-

(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.

8. 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.

26.05.2025
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(N.S. SHEKHAWAT)
JUDGE

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