



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.28658 of 2025
Date of decision: 29.05.2025

Nasir ... Petitioner

Vs.

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Himmat Singh Deol, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Mr. D.S. Matya Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
003	02.01.2025	City Sohna, District Gurugram	191(2), 191(3), 190, 110, 115(2), 126, 351(2), 324(4) and 117(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. Brief facts relevant for the purpose of disposal of this petition

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are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Sabir alleging therein that there was a land dispute between the family of accused Rizwan and his own family. On 31.12.2024, he had gone to Tehsil Office Sohna for some work and had noticed the accused Rizwan while following him with some unknown person. Feeling threatened, he had made call to his cousins Irfan and Iqbal. They had come to him and all of them had left for their village on motorbike. While on the way, a Wagon-R vehicle driven by accused Shahrukh rammed into their motorcycle thereby making them fall on the road. The petitioner as well as co-accused Ansar and Shahrukh were the occupants of that vehicle. Thereafter a Scorpio car came and Mushtaq, Aman, Rizwan and one unknown person were occupants of the car. They alighted from the vehicle and asked the complainant to withdraw the case which was pending against them and on his refusal, they opened an attack upon him and caused injuries to him with sticks, iron rods and dandas. His cousin brothers also sustained injuries at their hands. Then, the accused Shahrukh fired a shot with a countrymade pistol thereby attempting to kill the victim but he had a narrow escape and thereafter they fled from the spot. The complainant and other injured were rushed to the hospital and were provided treatment. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 15.01.2025. Investigation now stands concluded.

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3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, it is a case of version and cross version. An altercation had taken place on the fateful day. The complainant had struck blows with knife thereby injuring the petitioner. He was medico legally examined on that date. There is delay of two days in registration of the FIR. An FIR bearing No.168 dated 28.10.2024 was got registered against the complainant as he had given injuries to uncle of the petitioner. The trial is likely to take time. His further incarceration would not serve any useful purpose. A compromise has been arrived at between the parties. It is, therefore, argued that he deserves to be extended benefit of bail.

4. Per contra, learned Assistant Advocate General, Haryana has argued that keeping in view the gravity of the allegations, the petitioner does not deserve to be released on bail.

5. Learned counsel for the complainant has, however, submitted that the complainant has no objection, if the petition is allowed.

6. This Court has considered the rival submissions.

7. The petitioner by forming unlawful assembly with the co-accused is alleged to have assaulted the complainant and his cousin brothers and caused simple as well as grievous injuries to them. He is in custody since 15.01.2025. The subject offences are triable by Magistrate. The trial would ofcourse take time. Keeping in view the above discussed

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facts and circumstances but without meaning to make any comment on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. This order shall come into force from the time it is uploaded on this Court’s official webpage.

29.05.2025	(MANISHA BATRA)
manju	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No