



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

CRM-M-31298-2025

Reserved on: 19th August, 2025

Pronounced on: 27th August, 2025

Rakesh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sandeep Gehlawat, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

Mr. Sagar Aggarwal, Advocate for the complainant.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 281 dated 01.07.2024 registered under Sections 109(1), 115, 118(1), 3(5) and 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 118(2) of BNS added later on) at Police Station City Kaithal, District Kaithal.

2. The aforementioned FIR was registered on the basis of a statement recorded by the complainant Dimple alleging that she got married with the petitioner about 12 years back. He was alcoholic and quarrelsome nature, who used to assault her and demand money from her family. About three months back, he had taken two lakhs rupees from her family for the purpose of depositing installment of the loan taken for the purchase of



vehicle. When she insisted on return of that amount to her family, he threw her out of house after extending beatings to her. On 01.07.2024, a panchayat meeting was convened at Women Police Station as she had lodged a complaint against her husband and a settlement had taken place, as per which, the petitioner had to take her back to her matrimonial house after one week. On the same evening, while she was sitting outside her house along with her mother, the petitioner reached there along with the co-accused Kapil and Monu. Kapil struck a blow with *gandasi* on the head of her mother, whereas the petitioner struck a blow with *gandasi* on her head. Accused Monu assaulted them by giving *lathi* blows and then all of them fled after extending threats of life to them. She along with her mother was taken to hospital. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 02.07.2024. He suffered disclosure statement admitting his involvement in the crime. The co-accused also suffered disclosure statement and got recovered the weapons of offence. The investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody since 02.07.2024. Investigation has been completed. The injuries sustained by the victims have not been opined to be dangerous to life and therefore, the provisions of BNS are not attracted. The trial will take considerable time as none of the twenty witnesses has been examined so far. His further incarceration would not serve any useful purpose. The co-accused Kapil Sharma and Monu have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, therefore, urged that the



petition deserves to be allowed.

4. Reply has been filed by respondent-State. It is argued by learned State counsel assisted by learned counsel for the complainant that the complainant and her mother had sustained serious injuries in the incident, most of the which were grievous injuries. It is also argued that there are chances of petitioner's intimidating the witnesses or committing similar offences, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have voluntarily caused simple as well as the grievous injuries to the complainant and her mother on 01.07.2024. The injuries so sustained by them were however, not opined to be dangerous to life. The petitioner has been in custody since 02.07.2024. The trial will take time to conclude. The petitioner does not have criminal antecedents. Co-accused have been extended benefit of bail. Keeping in view the afore-discussed facts and circumstance of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds of two sureties to the satisfaction of the learned trial Court and further subject to the condition that he will not try to make any contact whatsoever with the complainant and other material witnesses, will not induce or intimidate them and will also not visit in the vicinity of the complainant and the material



witnesses, during the pendency of the trial.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th August, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |