

S. No.218

2025:PHHC:106318



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

**CRM-M-32896 of 2025 (O&M)
Date of Decision:18.08.2025**

**Suchendra Singh
Vs.
State of Haryana**

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. Sahil Goel, Advocate for the petitioner.
(Through Video Conferencing).

Ms. Vasundhara Anand, Sr. DAG, Haryana.

Yashvir Singh Rathor, J. (Oral)

1. This is a petition filed under Section 483 of BNSS, 2023 for grant of regular bail in case FIR No.803 dated 14.12.2024 registered under Sections 115, 126, 190, 191(3), 324(4), 351(3), 117(2) and 110 of the BNS Act at Police Station Sadar, District Gurugram.

2. The present case was registered on the basis of complaint given to the Police by Mohit s/o Krishan Kumar with the allegation that he had gone to meet his father in Manipal Hospital where he was admitted and thereafter, he along with three friends, Aditya, Mohit and Rajan were going to drop his cousin Anish in his own in Vehicle No. HR-12AG-4831. On the way, they stopped near a shop behind Sector 32, G-Town Wines to purchase water. Anish went to purchase water where the shopkeeper demanded Rs.40/- for the water bottle and when Anish told him that the bottle costs Rs.20/-, the shopkeeper started abusing him.



When complainant and his three friends intervened, the shopkeeper started abusing all of them. Thereafter, when they were going away in their car, around 15-20 unknown persons intercepted them, who were armed with sticks and they launched an attack upon them with sticks and bricks. One brick hit on the face of Anish, who suffered serious injuries on his face, both hands and legs. His other two friends also suffered fractures in their legs. They also caused damage to their car and fled away from the spot.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated. The occurrence had taken place on the spur of the moment without any pre-meditation. He was not named in the complaint initially and his name was subsequently added as complainant was having good relationship with some police officials. The complainant and his accomplices were under the influence of liquor and had quarreled with the shopkeeper. The injured has already been discharged from the hospital. Learned counsel next contended that no offence under Section 110 of BNS is made out and at the most, the offence under Section 117(2) of BNS is made out which is bailable. Nothing remains to be recovered from the possession of petitioner. He is in custody since 16.05.2025. The investigation and trial is likely to take some more time to conclude and petitioner thus deserves to be released on bail.

4. On the other hand, learned State Counsel has opposed the bail and argued that the investigation is at initial stage and in case, petitioner is released on bail, he will try to win over and intimidate the witnesses and she sought dismissal of the bail application.



5. There was no past enmity between the parties and quarrel took place at the spur of moment about overpricing of water bottle. As to whether offence under Section 110 of BNS will be made out or not, will be a moot question during the trial. All the offences are punishable with maximum imprisonment upto 07 years. Petitioner is in custody since 16.05.2025. Investigation and trial is likely to take some more time to conclude. The injured have already been discharged from the hospital. In these circumstances, detention of the petitioner is not required.

6. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(Yashvir Singh Rathor)
Judge

August 18, 2025
renu

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No