

2025:PHHC:160587



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.33544 of 2025
Date of Decision: 19.11.2025
Reserved on: 11.11.2025

Sahil ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Shivam Chaudhary, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

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
33	07.03.2025	Titram, District Kaithal	115(2), 118(1), 126(2), 3(5), 351(3) and 118(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (109 of BNS deleted later on)

2. As per the allegations, on 06.03.2025, the complainant Yogesh was intercepted by the petitioner who was accompanied with 2-3 youths, while he was coming out from his college. The petitioner had opened an attack upon the complainant by striking blows with knife

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repeatedly. On rescue alarm being raised by him, the petitioner and his accomplices had fled away while extending threats to kill him. After registration of FIR, investigation proceedings were initiated. The victim was medically examined and was shown to have sustained one grievous injury and seven simple injury. Offence under Section 109 of BNS with other above mentioned offences had been added initially but offence under Section 109 of BNS had been subsequently deleted as the injuries sustained by the victim were opined to be simple in nature except injury No.8 and were not opined to be dangerous to life. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery of knife is planted upon him. He is in custody since 10.04.2025. The trial will take considerable time to conclude. His continued detention would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed. Learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to have voluntarily caused simple as well as grievous injuries to the complainant. He is in custody since 10.04.2025. The trial is likely to take time to conclude as no witness has been examined so far. The petitioner is stated to be involved

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in three more cases, however, he cannot be denied benefit of bail due to that reason. The well settled proposition of law is that bail is the rule and jail is an exception. The pre trial incarceration of an accused should not be a replica of post conviction incarceration. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case lest the same prejudices the trial, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

19.11.2025
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(MANISHA BATRA)
JUDGE

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