



264

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

CRM-M-35526-2025(O&M)

Date of Decision:22.08.2025

Krishan Kumar @ Karshan

...Petitioner

VS.

State of Haryana

...Respondent

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

Present : Mr. Samay Singh Sandhawalia, Advocate
for the petitioner.

Mr. Pawan Kumar, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.288 dated 29.07.2024 registered under Sections 103(1), 115, 117(2), 190, 191(3), 351(2) of BNS, at Police Station Gohana Sadar, Sonipat.

2. Learned counsel for the petitioner contends that the present petitioner has not been named in the FIR and has been falsely involved as unfortunately the sons of the petitioner have been mentioned as main accused in the present case. Thus, all the family members of the petitioner have been implicated, just to wreck havoc on them. Further, the police had recorded the statement of Anup, during the course of investigation, who named the petitioner in his statement. He next contends that in fact, the victim, namely, Inder was aged about 82 years and he was discharged from hospital. However, after a delay of more than 15 days, he expired and the offence under section 103 of

BNS was added in the present case. Learned counsel further contends that Kartik and Himanshu, sons of the petitioner, Manish and Sahil @ Dhola have already been admitted to bail by the Court of Additional Sessions Judge, Sonipat. Further, he next contends that the petitioner is on better footing than them. Apart from that, during the trial, the complainant and other material witnesses have been examined, but they have not supported the case of the prosecution. Only the official witnesses are left to be examined and the petitioner may not be in a position to influence the witnesses any more. The petitioner was arrested in the present case on 03.09.2024 and is in custody since then.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been leveled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. In the present case, the petitioner is stated to be in custody for the last about 10 months. The other accused, namely, Kartik, Himanshu, Manish and Sahil @ Dhola have already been admitted to bail by the Court of Additional Sessions Judge, Sonipat. Thus, no purpose will be served by keeping the petitioner behind bars.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

7. Pending application(s), if any, stand(s) also disposed of.

22.08.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No