

CRM-M-35780-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-35780-2025
Decided on :15.07.2025

KRISHAN @ KAKU

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Kulwant Singh Dhanora, Advocate for the petitioner.

Mr. P.K. Jhanda, DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Krishan @ Kaur	465	16.09.2024	109(1), 110, 121(1), 121(2), 132, 190, 191(3), 304, 351(2) of BNS, 2023 and Section 25 of Arms Act	K.U.K	Kurukshetra

2. Learned counsel for the petitioner contends that allegation against the petitioner is that he was part of the un-lawful assembly, however, no specific role was attributed to the petitioner. Injured in the present case is complainant – Prince Kumar, who is a police official. There are three injuries suffered by the injured. Injury No.1 & 3 are simple in nature and only injury No.2 is declared as dangerous to life. The details of three injuries are as under:-

“i) TWO L/W OF SIZE 5 X 07 CM and 2.5 X 0.3 cm PRESENT OVER LEFT OCCIPTAL REGION OF SCALP WITH FRESH BLEEDING



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SEEN ADV NCCT HEAD AND SURGEON OPINION.

- ii) *STAB wound OF SIZE 4.5 X 2.5 CM PRESENT OVER LEFT SIDE OF LOWER ABDOMEN ADV USE ABDOMEN/NCCT ABDOMEN AND SURGEON OPINION*
- iii) *RED ABRASION OF SIZE 3 X 2 CM PRESENT OVER MIDDLE 1/3RD PART OF LEFT LEG ANTERIORLY ADV X RAY AND ORTHO OPINION.”*

3. Injury No. 2, which is categorized as dangerous to life, has been attributed to the main accused – Pardeep, who allegedly inflicted the knife injury upon the injured.

4. Counsel for the petitioner also submits that co-accused namely Vansh, and Ajay Kumar @ Aje Kumar have already been granted the concession of regular bail by this Court, vide orders dated 24.04.2025 and 23.05.2025, passed in CRM-M-4054-2025 and CRM-M-27570-2025 respectively. Petitioner is stated to be inside jail since 23.09.2024 i.e. for a period of about 10 months. Since, there is no graver allegation against the petitioner than that against the main accused – Pardeep, he is also entitled to the concession of regular bail.

5. *Per contra*, learned State counsel, while vehemently opposing the contention addressed by learned counsel for the petitioner, argues that he being member of unlawful assembly, is not entitled to be released on bail. Injury has been caused by knife by his co-accused ‘Pardeep’.

Besides, after completion of investigation, challan has also been submitted before the Trial Court, however, process of recording of evidence is yet to start.

6. Heard.

7. After noticing the contention of both the sides and after going through the averments made in the petition, this Court finds that the

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main/grievous injury has been attributed to the main accused, Pardeep, with a knife, and in the FIR also, no specific role has been attributed to the petitioner. However, he is alleged to have associated with the main accused. The complicity of the petitioner is to be ascertained at the final stage of the trial.

Besides, after completion of investigation, challan has also been submitted. Therefore, considering the totality of circumstances, and the nature of allegations leveled against the petitioner, and the factors noted here-above, I deem it appropriate to grant the concession of bail to the petitioner.

8. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

July 15, 2025*Rashmi*

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No