

2025:PHHC:090981



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

CRM M-36162-2025

Date of Decision:16.07.2025

Satnam Singh @ Kalu

...Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. D.P.S. Joura, Advocate, for the petitioner.

Mr. D.P.S. Jhand, Addl. A.G. Haryana.

N.S.SHEKHAWAT, J.

1. The petitioner has filed the present petition under Section 483 of the B.N.S.S., 2023 with a prayer to grant regular bail to him in case FIR No.32 dated 31.03.2024 registered under Sections 323, 324, 452 and 307 of IPC at Police Station Rori (Sirsa), District Sirsa.

2. The FIR in the present case has been registered on the basis of the statement made by Sushma Rani and the same has been reproduced below:-

“Statement of Sushma Rani daughter of Harbhagwan resident of Alika, age 45 years, mobile No. 9466208442. It is stated that I am the resident of the above address, do household work, and we are three sisters. One of my sisters is married. I and Saroj Bala are unmarried. Our parents have passed away. Both of us sisters live at our

home. On 30.03.2024, after having dinner, we went to sleep in our room. Around 5 AM, an unknown person jumped over the wall and entered my house. Both of us sisters were sleeping in our room. The unknown person took a knife in his hand and first injured my sister Saroj. When I resisted, he started attacking me with the knife he had in his hand. My sister was injured on her neck and arm, and I was also injured. He gave several injuries down my neck, on eye, on chin, and on finger and on shoulder. Strict legal action be taken against them. My sister was admitted to Civil Hospital Ambala, where Dr. Sahab referred to GH Sirsa due to the severity of our injuries. Now, both of us sisters are admitted to Sanjeevani Hospital. I have given my statement consciously and it has been read out to me and is correct. This attack was carried out with the intention of killing both of us sisters. Sd. Sushama Rani”.

3. Learned counsel for the petitioner has vehemently argued that the FIR was initially registered against unknown persons and there was no averment in the FIR, which connected the petitioner with the commission of the crime in any manner. Learned counsel further contends that even during the course of investigation, the petitioner was arrested only on the basis of suspicion. The petitioner was arrested on 04th July 2024 and is in custody since then. Learned counsel also submits that during the course of trial, the prosecution had examined the doctor, who had conducted the MLR of the injured, as PW1 and during the cross-examination, he clearly admitted that all

the injuries on the person of the injured were simple in nature and he could not even comment as to whether the injuries were inflicted by knife. Consequently, the offence under Section 307 IPC was wrongly added in the present case. The petitioner was arrested in the present case on 04.07.2024 and is in custody since then. Even, the injured has already been discharged from the hospital long ago. After completion of investigation, the final report under Section 173 Cr.P.C. was presented against the petitioner. Even, the prosecution had placed reliance on 13 witnesses and only two witnesses have been examined so far. Thus, there are no chances of early conclusion of the trial.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

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

6. As per the record, initially, the FIR was registered against unknown persons and during the course of investigation, the police found that the petitioner was involved and was arrested on 04th July, 2024. Even, the petitioner is in custody for the last more than 01 year and the injured has already been discharged from the hospital. Even, the prosecution has been able to examine only 02 witnesses out of 13 witnesses so far.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

16.07.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

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