



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

223

CRM-M-39772-2024

Date of decision: 25th March, 2025

Amit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Aditya Jain, Advocate for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

Mr. Sandeep Lathar, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed by the petitioner seeking grant of regular bail in case bearing FIR No. 593 dated 04.12.2023 registered under Sections 148, 149, 323 and 506 of IPC (Section 325, 307 and 379-B of IPC added later on) at Police Station Dabua, District Faridabad.

2. As per the prosecution case, on the night of 29.11.2023, the victim Vikas, son of the complainant Suman, was present outside his shop with Rajan, Mohit and Iqbal, when the petitioner reached there along with co-accused Banwari and started asking him, the reason for accompanying one Iqbal to Police Station Saran. An altercation had taken place between them but with to intervention of friends of Vikas, the petitioner and his accomplices had left. Sometime thereafter, accused Banwari called the



victim Vikas to his office on the pretext of getting a compromise effected. When he reached there, then the petitioner accompanied by the co-accused and some unknown persons opened an assault upon the victim Vikas and caused injuries to him with the respective weapons, which they were having. The friends of his son tried to save him but they were extended threats. Thereafter, on noticing the critical condition of the victim, co-accused Banwari got him admitted in Escort Fortis Hospital. Initially, a case under Sections 148, 323 and 506 read with Section 149 of IPC was registered. Subsequently, on the basis of statement of victim, offences under Sections 307, 325 and 379 of IPC were added. The petitioner was arrested on 11.12.2023. He suffered disclosure statement admitting his involvement in the subject crime and got recovered the weapons of offence as well as the vehicle used at the time of occurrence. The co-accused could not be arrested. Investigation qua the petitioner has been concluded and the challan has been presented.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The statement of the injured was recorded after a gap of seven days of the incident. There in unexplained delay in reporting the matter to the police. Trial will take time. His further incarceration would not serve any useful purpose. He is on bail in all the other cases registered against him. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. Accordingly, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by



learned Deputy Advocate General, Haryana, that there are grave allegations against the petitioner, who along with the co-accused had caused several injuries to the victim. The injuries attributed to him and inflicted on the person of the injured were fatal to life, the same being on vital parts. Some injuries were opined to be dangerous to life. The complainant and other eye-witnesses are yet to be examined. The petitioner is a habitual offender, since, many other criminal cases have been registered against him. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner by forming membership of an unlawful assembly with the co-accused, is alleged to have assaulted the son of the complainant on the night of 29.11.2023 and is further alleged to have caused several injuries on his person. The injuries sustained on the chest and abdomen of the victim were opined to be dangerous to life and they are inflicted on the vital parts of the body. The allegations against him are quite grave in nature. Trial has commenced. Material witnesses are however, yet to be examined. The apprehension that he may intimidate the witnesses cannot be stated to be unfounded at this stage. The matter is shown to have been reported to the police on 30.11.2023 and it was on account of the fact that the victim was unfit to make statement that delay in lodging of the FIR occurred. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts



and circumstance of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed at this stage. Hence the same is dismissed.

7. Since the main petition has been dismissed. pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

25th March, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |