



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

245

CRM-M-37172-2025
Decided on : 21.07.2025

SURAJ . . . Petitioner(s)
Versus
STATE OF HARYANA . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Arun Kumar Sharma, Advocate
for the petitioner(s).

Mr. Sunny Namdev, AAG, 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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Suraj	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 (added later on)	Kurukshetra University	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. Further contends that initially petitioner was not named in the FIR, however, subsequently on the basis of disclosure statement made by co-accused (his brother), name of the petitioner has been involved.

3. Learned counsel submits that case of the petitioner is on better



footings than the co-accused Vansh and Ajay Kumar alias Aje Kumar, who have already been granted concession of regular bail by this Court, vide orders dated 24.04.2025, passed in CRM-M-4054-2025, and 23.05.2025, passed in 27570-2025 (appended as Annexures P-2 & P-3, respectively).

4. Learned counsel further submits that 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 OCCIPITAL REGION OF SCALP WITH FRESH BLEEDING 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.”

5. Injury No. 2, which has been categorized as *dangerous to life*, has been specifically attributed to the main accused, Pardeep, who allegedly inflicted the knife injury upon the victim. Petitioner, who has been in custody since 16.09.2025, is not alleged to have played a graver role than the main accused. Therefore, he is also entitled to the concession of regular bail on the ground of parity, and even on better footings than then other co-accused (mentioned here-above).

6. *Per contra*, learned State counsel, while vehemently opposing the submissions made by learned counsel for the petitioner, submits that petitioner, being a member of an unlawful assembly, is not entitled to be released on bail. It is contended that the knife injury was caused by co-accused – Pardeep.



It is further submitted that the investigation has been completed and the challan has already been filed before the Trial Court. However, the process of recording evidence is yet to commence. The other factual aspects as stated above are not disputed by learned State counsel.

7. Heard.

8. After noticing the contention of both the sides and after going through the averments made in the petition, this Court finds that the 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 has been involved in the present case on the basis of disclosure statement, therefore, 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.

9. 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.

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

11. 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.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

July 21, 2025

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*