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

CRM-M-40641-2025

Date of Decision: 04.08.2025

BHEEM

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Mohan Singh Chauhan, Advocate
for the petitioner.

Mr. Dhruv Dayal, Addl. AG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner had filed the present petition under Section 483 BNSS with a prayer to grant of regular bail to him in case FIR No.29 dated 17.03.2025, registered under Sections 109(1), 126(2), 115(2), 351(2) of BNS, Police Station Barara, District Ambala.

2. The FIR in the present case was registered on the basis of the statement made by Ajay Kumar @ Mangu and the same has been reproduced below:-

“Statement of Ajay Kumar @ Mangu S/o Narender Pal R/o Village Ugala Police Station Brara District Ambala aged 30 years, Mobile No. 906889085. Stated that I am resident of above mentioned address and do labour work. I am 10th pass and there



was function at the home of my uncles son Ompal S/o Kehar Singh R/o Village Ugala which was attended by several relatives and in this function Rohit S/o Dharampal R/o Village Ghilour Police Station District Radour District Yamuna Nagar, brother in law of my uncles son namely Ompal was also present. Bheem S/o Bachna Ram Village Bhogpur, Police Station Sadora, District Yamuna Nagar, nephew of our neighbor Rajinder Singh who is staying with Rajinder Singh since childhood and around a year ago also we had gathered in a marriage function and at that time also Bheem had abused Rohit and threatened to kill. On 15/03/2025 me and Rohit were going to Ugala market at the motorcycle of Rohit to purchase material for function. Rohit was driving motorcycle and I was pillion rider. At around 08:30 PM when we turn little bit toward liquor shop from motorcycle repair shop, Bheem S/o Bachna Ram Village Bhogpur, Police Station Sadora, District Yamuna Nagar Presently R/o Village Ugala PS Barara District Ambala equipped with iron rod in his hand came running towards and stand firmly in front of our motorcycle and make us to stop motorcycle and Bheem told Rohit that today I will teach you a lesson of abusing. I was sitting on motorcycle behind Rohit so I get down and in the meanwhile, Bheem hit Rohit with iron rod on his head twice with intent to kill and when Bheem tried to hit third time, I stopped him and shouted for help, Rohit was falling down from motorcycle and Bheem fled away from the spot along with iron rod extending threat to kill to Rohit. I called at home to my uncles son Namely Ompal and we all took Rohit to Civil Hospital Barara in a private vehicle from where doctor referred Rohit to Civil Hospital Ambala City from where seeing the serious condition of Rohit we took him to PGI Section 32 CHD. Thereafter on 16/03/2025 doctor referred Rohit to PGIMER Sector-12 from PGI Section 32 where he is under treatment. Bheem has caused these injuries to Rohit on account of previous grudge and has extended threat to kill. Strict legal action may kindly be taken



against the above mentioned Bheem and I have got my statement recorded to you, read over and found correct. Sd/-Ajay Kuma, 9068869085. Attested Ranbir Singh SI, PS Barara dated 17/03/2025.”

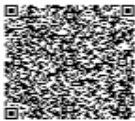
3. Learned counsel for the petitioner contends that in fact Rohit, injured had attacked the petitioner and petitioner only caused injuries in his self defence. Even Rohit was heavily drunk, which is apparent from his MLR (Annexure P-2). Learned counsel further contends that the petitioner was arrested in the present case on 18.03.2025 and is in custody for the last more than 04 months. After completion of investigation, the challan has already been presented against him. Moreover, the injured in the present case has already been discharged from the hospital.

4. 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 levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he admits that there is no other case registered against the petitioner.

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

6. In the present case, the petitioner is stated to be in custody for the last more than 04 months. The injured namely Rohit has already been discharged from the hospital. Moreover, the prosecution is yet to lead evidence before the trial Court to prove the involvement of the petitioner in the crime. Thus, the further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his



furnishing bail bonds and surety to the satisfaction of the concerned trial Court/
Duty Magistrate/Chief Judicial Magistrate.

04.08.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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