



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

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**CRM-M No.42742 of 2025
Date of decision : 12.8.2025**

Sandeep Singh @ Goldy**.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Vimal Kumar Gupta, Advocate, for the petitioner

Mr. Deepak Grewal, DAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.74 dated 9.5.2025, under Sections 115(2), 117(2), 126(2), 351(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (Section 110 of BNS added later on), registered at Police Station Panjokhara, District Ambala.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Rajiv Kumar son of Jasvir Singh, resident of village Mandore, police station Panjhokhra Sahib, District Ambala age 28 years M. No. 8168265957 stated that I am a resident of the above mentioned address and I do labour work. We are two brothers and two sisters. My father does labour work and my mother does domestic work. On 08.05.2025 at about 10.00 pm, I went to Mandore bus stand on Harshdeep



alias Happy's motorcycle no. HR01AJ6280, to get household articles. Harshdeep alias Happy was driving the motorcycle and I was sitting behind. When we were returning to our home with the articles then at about 10:15 pm, as soon as we both reached near Shiv Mandir on Mandore Road, Sadeep alias Goldy son of Kulwant Singh resident of village Mandore blocked our motorcycle with his car and forcibly stopped us. Sadeep alias Goldy got down from the car with an iron rod, Anil Kumar son of Surajbhan Singh resident of village Mandore as well as Sahil alias Bachchi who lives at Sandeep @ Goldy's house were also alongwith them. Anil Kumar got down from the car with Binda (stick). Sandeep alias Goldy said that you are showing too much modesty, today I will teach you a lesson. Just then he started abusing me. Sadeep alias Goldy gave iron rod blow on my right leg and Anil Kumar gave stick blow on my head and Sahil alias Bachchi fist and slapped me. When my friend Harshdeep alias Happy tried to save me, then Sahil alias Bacchi and Anil Kumar slapped him. When we raised an alarm, Sandeep alias Goldy, Anil Kumar and Sahil alias Bachchi threatened me and fled inside the house with their weapons. Pardeep Kumar, a resident of village Mandore, arrived at the spot and took me to Civil Hospital, Ambala City in a private vehicle for treatment, where the doctor referred me to GMCH to 32 Chandigarh. My family members brought me to MM Hospital, Sadhopur for treatment, where I am undergoing treatment. My right leg fractured due to the rod which was attributed by Sandeep alias Goldy Sandeep alias Goldy, Anil Kumar and Sahil alias Bachchi beaten me as well as Harshdeep alias Happy without any reason. I request you to take legal action against them. I have given you my statement in writing. I have heard it, okay. SD Rajiv Kumar Attested Charan Singh Dt. 09.05.2025, I, Jasbir Singh, son of Bakhataura Ram, resident of village Mandore, District Ambala, agree with the above statement given by my son Rajiv Kumar. This statement has been given by my son Rajiv Kumar in front of me, which is absolutely correct. I have given you my statement in writing. I have heard it, okay. Attested Charan Singh Dt. 09.05.25.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 24.5.2025. Learned counsel has further argued that, assuming *arguendo*, the prosecution version is taken to be correct, the role



ascribed to the petitioner is of causing injury on the right leg of the injured-Rajiv Kumar with an iron rod. Learned counsel has further argued that the co-accused, who is stated to have given injury on the head of the said Anil Kumar with a wooden stick, has been extended the concession of anticipatory bail on 19.5.2025 and the said order has not been challenged till date by the prosecution/complainant. Learned counsel has further argued that the FIR was registered on 9.5.2025 and the offence under Section 110 of Bharatiya Nyaya Sanhita was added on 16.5.2025 without any medical corroboration. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 10.8.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 24.5.2025 wherein after investigation was carried out and challan stands presented on 14.7.2025. Total 10 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contention raised at Bar give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing



tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 10.8.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 2 months and 16 days. As per the said custody certificate, the petitioner is stated to be involved in three more FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds



to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

12.8.2025
Ashwani

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