



CRM-M-43193-2025

-1-

(226)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43193-2025

Date of Decision: 17.09.2025

SURENDRA PASWAN & OTHERS

... Petitioners

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. J.P. Jangu, Advocate with
Mr. Arvind Kumar Jha, Advocate
for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.724 dated 01.12.2024 registered under Sections 190, 191(3), 115, 110, 351(2) of BNS, 2023 (Section 103(1) of BNS added later on) at Police Station Rohtak, District Rohtak.

2. The present FIR came to be registered at the instance of Dalip Sahni S/o Joginder Sahni and the same reads as under:-

“To SHO Sir, Police Station City, it is requested that I, Dalip Sahni son Joginder Sahni is resident of village Maksudanpar Bhadaiya, police station Mohti Nagar, District Samastipur Bihar currently tenant at Kachcha Beri Road Rohtak. I live with my children and younger brother Rajesh Sahni. We both brothers work as daily wage labourer. On 30.11.2024 at around 10.00-10.30 PM, my brother Rajesh Kumar went to the shop on Kachcha Beri Road



CRM-M-43193-2025

-2-

Rohtak to buy 'Bidi' where my brother Rajesh Sahni had a fight with Chandan Paswan son Jaikishan resident village Malatol, District Sitamadi Bihar currently tenant Kachcha Beri Road Rohtak over bidi, then Chandan Paswan called his brothers Sajjan, Rajan and his 4/5 other companions on the spot. All of them attacked on my younger brother Rajesh Sahni with sticks, iron rods in their hands due to which my brother received injuries on head, ears, mouth and entire body. He was picked up from the spot and we admitted him to Trauma Centre, Rohtak for treatment. They have also threatened to kill my brother Rajesh Sahni in future. My brother Rajesh is undergoing treatment at Trauma Centre. Chandan Paswan, Sajjan, Rajan and their 4/5 other companions blocked the way of my brother Rajesh Sahni and assaulted him and injured him. Strictest legal action should be taken against them. SD/ Dilip Sahni.”

3. The learned counsel for the petitioners contends that the petitioners have not been named in the FIR. Their name finds mentioned only in the disclosure statement of the named accused Chandan. As the petitioners are in custody since 01.12.2024 but none of the 26 prosecution witnesses has been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, they are entitled to the concession of bail.

4. A reply dated 17.09.2025 by way of an affidavit of Dalip Singh, HPS, Deputy Superintendent of Police, Rohtak has been filed on behalf of the State by the learned counsel for the State. The same is taken on record. While referring to the reply, he contends that though the petitioners are not named in the FIR, they are named in the disclosure statement of Chandan. Petitioner No.1-Surendra Paswan got recovered a wood stick whereas

**CRM-M-43193-2025****-3-**

petitioner No.3-Satendra Paswan got recovered an iron rod. The nature of the allegations levelled against the petitioners do not entitle them to the concession of bail. He, however concedes that the petitioners are in custody since 01.12.2024 but none of the 26 prosecution witnesses has been examined so far.

5. I have heard the learned counsel for the parties.

6. Admittedly, the petitioners are not named in the FIR but in the disclosure statement of their co-accused. It would be a moot point during the course of the trial as to the culpability of the petitioners. They are in custody since 01.12.2024 but none of the 26 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioners is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and petitioners are ordered to be released on bail subject to their furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioners shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that they are not involved in any other crime other than the present case.

9. If the petitioners or their family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the

2025:PHHC:129265



CRM-M-43193-2025

-4-

State would be at liberty to move an application for cancellation of bail granted vide this order.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

17.09.2025

JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:-

Yes/No