



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

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CRM-M-43968-2025 (O&M)

Decided on : 20.11.2025

RAHUL ALIAS SONI**... Petitioner****Versus****STATE OF HARYANA****... Respondent****CORAM: HON'BLE MR. JUSTICE YASHIVIR SINGH RATHOR**

PRESENT: Mr. G.S. Sandhu, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, DAG Haryana
assisted by SI Yash Rai.

YASHIVIR SINGH RATHOR, J. (Oral)

1. Present petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.767 dated 24.10.2024, under Sections 109(1), 115, 117(2), 190, 191(3), 351(2) of BNS, 2023, registered at Police Station Assandh, District Karnal (Annexure P-1).

2. The present case was registered on the basis of statement given to the police by Roshni (complainant), with the allegation that on 24.10.2024, at about 9:35 a.m., she was going to her plot on a bike from the nearby market of Indira Colony, when a Swift car came and hit her son namely Kalu's bike. He fell on the ground and then Soni, Ajay, Tona, Raju, Tilka and other 3-4 unknown boys armed with axes, swords and knives got down from the car and attacked her son lethally. They cut her son's entire body with sharp weapons due to which her son was soaked in blood and all the above named persons fled away from the spot. The matter was



investigated, accused were arrested and challan has been presented in the Court after completion of investigation.

3. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

4. Learned counsel for the petitioner contended that petitioner has been falsely implicated. No offence under Section 109 BNS, 2023, is made out as no injury on the person of victim has been declared as dangerous to life and injuries have been declared grievous which is triable by Magistrate. Learned counsel further contended that all the co-accused namely Saurabh, Sagar and Tilak Raj have already been released on bail. Petitioner is in custody since 20.11.2024. The challan has already been presented after completion of investigation. Charges have not been framed as yet. The trial is thus likely to take a long time to conclude and further detention of the petitioner is not required and he may be released on bail.

5. On the other hand, learned State Counsel has opposed the bail and argued that petitioner is a habitual offender and he is involved in several cases and in view of the gravity of the offence, he does not deserve the concession of bail.

6. The injuries on the person of victim have not been declared as dangerous to life and the same have been declared as grievous only. As such, it will be a debatable question during the trial whether the offence under Section 109 BNS is made out or not. Co-accused Sagar, Saurabh and Tilak Raj have already been released on bail. Petitioner is in custody since 20.11.2024. Challan has already been presented in the Court and charges have not been framed as yet. The trial is thus likely to take sufficiently long



time to conclude. It is well settled that bail is the rule and jail is an exception and pre-trial incarceration cannot be used as a tool to punish an offender and no useful purpose will, thus, be served by detaining the petitioner in custody anymore.

7. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

November 20, 2025
Vishal Vardhan

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No