

(230)

2025:PHHC:112427

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45163-2025

Date of decision :25.08.2025

ISHU

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vikas Bishnoi, 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 to the petitioner in case FIR No.171 dated 15.04.2020 registered under Sections 397, 506 and 34 IPC, 1860 (Sections 188 and 302 IPC and Section 25 of Arms Act added later on) at Police Station Azad Nagar, District Hisar.

2. The present FIR came to be registered at the instance of Mahender Singh S/o Baru Ram and the same reads as under:-

“Statement of Mahender Singh S/o Baru Ram, R/o Patel Nagar, H.No.950, Hisar, aged 40 years. Mob. No.7015931030. Stated that I am resident of abovementioned address and has studied upto 12th standard. I am working on the Grocery shop of Naresh Kumar S/o Sh. Krishan Lal R/o Umed Vihar, Kaimri Road, Hisar. The shop of Naresh Kumar is in Umed Vihar Colony. The shop is constructed inside the house only. Yesterday on 14.04.2020 at about 8:00 pm, Naresh Kumar has closed the shop and at that time Suraj @

Bachhi S/o Mahipal who was having iron rod in his hand, Ishu S/o Bansi who was having knife in his hand, Deepak @ Halwai S/o Mahabir who was having iron rod in his hand and Manish @ Malai S/o Satpal who was having iron rod in his hand came at the shop of Naresh Kumar and that all are residents of Shashtri Nagar, Hisar. At that time, Naresh Kumar was in the house and all the young boys entered in the house of Naresh Kumar and told him that given them money which he was having with him, then Naresh Kumar has refused to give the money and then Ishu S/o Bansi has hit the knife in the abdomen of Naresh Kumar and Suraj @ Bachhi, Deepak @ Halwai and Manish @ Malai have attacked on Naresh Kumar with iron rods. I tried to save Naresh Kumar, then Manish @ Malai who was having iron rod in his hand tried to hit the same on my head, but it hit on my right ear. When I tried to save myself, then Deepak @ Halwai has hit on my right hand which landed in between my fingers. I fell on the ground after the receipt of injuries. Then Suraj @ Bachhi who was having iron rod in his hand has tried to hit the same on my head and then in order to save myself, I raised my right hand and that iron rod hit on my right hand and all the four assailants entered the house through the door from the shop and took out around Rs.1200/- from the cashbox. We shouted Bachao Bachao, then all the assailants told that if in future they refused to give money, then we will kill both of you. After hearing voice of fight, many persons have gathered on the spot and on seeing the crowd, all the assailants ran away from the spot along with their respective weapons. Strict Legal action be taken against all the attackers. Statement is written and is read over and is correct. Sd/- Mahender.”

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. As he is in custody since 15.04.2020 but only 11 of the 18 prosecution witnesses have been examined so far, the trial of the present case is not likely to be

concluded anytime soon and therefore, the petitioner is entitled to the grant of bail.

4. On the other hand, the learned State counsel contends that the present petition is the third seeking grant of bail on behalf of the petitioner. In fact, he is the main accused having given a blow with a knife in the abdomen of the deceased. Therefore, he is not entitled to the concession as prayed for.

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

6. A perusal of the FIR would reveal that the petitioner gave a knife blow in the abdomen of Naresh Kumar. This is the injury which has proved to be fatal. Therefore, as he is the main accused, he is not entitled to the concession of bail.

7. In view of the aforementioned discussion, I find no merit in the present petition. Therefore, the same stands dismissed.

8. However, keeping in view the period of custody undergone by the petitioner, the Trial Court is directed to conclude the trial within a period of 06 months.

(JASJIT SINGH BEDI)
JUDGE

25.08.2025
JITESH