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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.47591 of 2025
Date of Decision: 16.09.2025

Rahul ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sandeep Gahlawat, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Mr. Surinder Singh Duhan, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
168	29.05.2025	Narwana Sadar, District Jind	115, 118(1), 126, 190, 191(2) and 191(3) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (109(1), 117(2), 118(2) and 351(2) of BNS added later on)

2. As per the allegations, on 28.05.2025, the victim Raman was going for doing labour work on his motorbike and when he reached near

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the bus stand of his village, the co-villagers Daya Nand, Raman and Gobind intercepted him and started hurling abuses to him. Raman came back to his house and told his father Sube Singh i.e. the complainant about this fact. The complainant pacified his son who left again for his work but at the bus stand, he was again stopped by the above named person as well as the other accused who were armed with weapons who opened an attack upon his son and caused injuries with their respective weapons while making exhortations. The complainant along with his wife rushed towards the spot and then the assailants opened an assault upon his wife and himself. Both of them sustained injuries and had fallen down. They were taken to hospital for treatment. On his statement, the aforementioned FIR was registered. Investigation proceedings were initiated. CCTV footage of the place of occurrence was obtained which showed the presence of the petitioner amongst the assailants. He was nominated as an accused. Offences under Sections 109(1) and 351(2) of BNS were added on the basis of examination of CCTV footage. The petitioner was arrested on 05.06.2025. On interrogation, he suffered disclosure statement admitting his involvement in the occurrence and about causing injuries to the victims. Investigation now stands completed and challan has been presented.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. It is a case of version and cross version as members of the accused party had sustained injuries at the hands of members of the complainant party. A

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complaint has been moved by one of the accused namely, Ravinder but no action has been taken by the police. No specific injury has been attributed to him. Neither any specific weapon is shown to be carried by him. None of the injured has sustained any injury which can be opined to be dangerous to life. The trial would take considerable time. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed. Power of Attorney has been filed on behalf of the complainant. Learned Assistant Advocate General, Haryana assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner who by forming membership of an unlawful assembly with the co-accused had caused simple as well as grievous injuries to the members of the complainant party. He is involved in one more case of similar nature and has criminal antecedents. There are chances of his intimidating the witnesses or absconding if extended benefit of bail. It is, therefore, urged that he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object of the same, is alleged to have caused simple as well as grievous injuries to the members of complainant party. In the occurrence, as many as nine persons had sustained injuries. The petitioner is alleged to have thrown a brick upon the injured Govind. No injury on any other person has been

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attributed to him. The injury on the person of Govind as attributed to him has been opined to be simple in nature. It appears to be a case of version and cross version as four members from the side of the petitioner are also proved to have sustained injuries. The petitioner is in custody since 05.06.2025. The trial will obviously take time to conclude. No fruitful purpose is going to be served by keeping the petitioner in custody any more. It is well settled proposition of law that bail is the rule and jail is an exception. In view of the above discussed facts and circumstances, a case is made out for release of the petitioner on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

16.09.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No