

2025:PHHC:029066



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207(2 cases)

CRM M-51615 of 2024
Date of Decision: 28.02.2025

1.

Heena

Petitioner

Vs.

State of Haryana

Respondent

2.

CRM M-65280 of 2024

Narender Kumar

Petitioner

Vs.

State of Haryana

Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Krishan Garg, Advocate
for the petitioner in CRM M-51615 of 2024.

Mr. Pratham Sethi, Advocate
for the petitioner in CRM M-65280 of 2024.

Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. This order shall dispose off above mentioned two petitions, i.e., CRM M-51615 of 2024 titled as “**Heena Vs. State of Haryana**” and CRM M-65280 of 2024 titled as “**Narender Kumar Vs. State of Haryana**”, whereby, the petitioners have prayed for

grant of regular bail to them in case FIR No. 226 dated 25.06.2024 under Section 326-A IPC (Section 120-B IPC added later on) registered at Police Station Ambala City, District Ambala.

2. Learned counsel appearing on behalf of Narender Kumar (petitioner in CRM M-65280 of 2024) contends that on 22.06.2024, some unknown persons had thrown some chemical on Manju Bala, wife of complainant. However, the FIR in the present case was got registered by the complainant on 25.06.2024, i.e., after three days of the alleged occurrence. The petitioner was arrested in the present case on 02.07.2024 only on the basis of suspicion and was tortured in police custody. Even, on 03rd July 2024, the petitioner being an innocent person, even tried to commit suicide by hanging himself with the help of a blanket. Learned counsel further contends that bare perusal of the medical record, it is apparent that no chemical/acid was thrown on the face of Maju Bala and she was discharged from the hospital immediately. Even, she was treated as an out door patient and some treatment relating to her eyes was provided to her. The investigation in the present case has already been completed against the petitioner and co-accused and challan has been presented before the Court. Since, no witness has been examined so far, the trial Court may take considerable time in concluding the trial.

3. Learned counsel appearing on behalf of Heena (petitioner in CRM M-65280 of 2024) has raised similar arguments. Learned

counsel submits that the petitioner was arrested on 02nd July, 2024 and the prosecution has not been able to examine even a single witness out of total 18 prosecution witnesses. Even, the petitioner is not in a position to influence the witnesses of the prosecution.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that serious allegations have been levelled against the petitioners and they do not deserve the concession of regular bail by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. It is apparent from the record that the petitioners are in custody for the last more than 07 months. The only allegation against the petitioners was that Narender Kumar had thrown some chemical/acid on the face of Manju Bala, in connivance with Heena, co-accused. However, Manju Bala was discharged from the hospital on the same day and she stated to be hale and hearty. Moreover, the prosecution has not examined even a single witness so far and the trial is not likely to conclude in near future. Moreover, the prosecution has not been able to place on record any material to indicate that the petitioners are in a position to influence the prosecution evidence.

7. In view of the above, without commenting on the merits of the case, the present petitions are allowed and the petitioners are

ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

28.02.2025

amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No