

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:165746



222

CRM-M-51175-2025 (O&M)
Date of decision:28.11.2025

Deepak @ Deepu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Baljeet Nain, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. Instant one is the second petition as filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in case bearing FIR No.413, dated 10.09.2023, registered under Sections 323, 341,506, 34 IPC (offence under Section 307 IPC was added lateron), at Police Station Jind Sadar, District Jind. His previous petition bearing No.CRM-M-38633-2024 had been dismissed as withdrawn vide order dated 12.05.2025.

2. The aforementioned FIR was registered on the allegations that on 09.09.2023, the present petitioner along with one Shera, who had been declared innocent during the course of investigation, had taken the victim Pardeep, brother of the complainant - Manju, from his house. He did not return back on that night and was found lying in an injured condition in the

next morning. He disclosed to the complainant that he had been assaulted by the present petitioner and above named Shera. Initially, a case under Sections 323, 341, 506, 34 IPC was registered. During the course of investigation, offence under Section 307 IPC was added as injury No.2 as sustained by the victim had been opined to be dangerous to life. The petitioner was arrested on 06.10.2023. Investigation now stands completed and he is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. The trial will take considerable time to conclude. Co-accused Jitender @ Sahil has been extended the benefit of bail. On parity, he too deserves to be extended the same benefit. He has clean antecedents. It is, therefore, urged that the petitioner deserves to be released on bail.

4. Status report has been filed.

5. Learned State counsel has argued that there are serious allegations against the petitioner and as such, he does not deserve to be extended benefit of bail.

6. This Court has considered the rival submissions made by learned counsel for the parties.

7. The petitioner in furtherance of his common intention is alleged to have caused injuries to the victim on the night of 09.09.2023. He is in custody since 06.10.2023. The trial will obviously take time to conclude. It is well settled proposition of law that the bail is the rule and jail is an exception. Continued detention of the petitioner would not serve any fruitful purpose. In view of the above discussed facts and given the nature of the

allegations, this Court is of the considered opinion that the present petition deserves to be allowed. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds of two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

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

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

28.11.2025

harjeet

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No