

CRM-M-51696-2025

2025:PHHC:137472



226

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

CRM-M-51696-2025

Date of decision: September 30, 2025

Wazir Singh

....Petitioner

versus

State of Haryana

....Respondent

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

**Present:-** Mr. Manoj Makkar, Advocate and  
Ms. Navjeet Kaur, Advocate for the petitioner.

Mr. Deepak Kumar Grewal, DAG Haryana.

Mr. Abhimanyu Batra, Advocate  
for the complainant (Through VC).

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**SUMEET GOEL, J. (ORAL)**

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case bearing FIR No.145 dated 25.05.2025, registered for the offences punishable under Sections 110, 115, 117(2), 190, 191(3) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), at Police Station Sector 6, Bahadurgarh, Haryana.

2. The gravamen of the allegations against the petitioner is that complainant, namely, Krishan, employed as a Postman in the Post Office at Karol Bagh, stated that on 24.05.2025, at about 8:30 PM, he had gone to his plot to collect rent from his tenant. Around 9:30 PM, after collecting the rent, he noticed that a bag of garbage had been dumped in his drain. He

CRM-M-51696-2025

called his tenant, removed the bag, and asked him to place bricks in front of the drain so that garbage would not fall inside. At that point, Manjeet, son of the owner of the house opposite his room, objected, saying that the bricks could not be thrown into the drain. Thereafter, Manjeet called his associates, namely Amit and Sumit, and all three started assaulting the complainant with slaps, fist blows, and kicks. When the complainant raised alarm, his brother, namely, Satya Parkash and nephews Vinod and Abhishek came to his rescue. At this stage, Manjeet exhorted the others to bring weapons such as *farsa* and rods. Subsequently, Amit attacked the complainant on his head with a *farsa*, while Devki assaulted his brother – Satya Parkash. Vikas attacked Vinod with a sharp-edged weapon, causing injuries to his head and hands. Meanwhile, the present petitioner, caught hold of Satya Parkash from behind, enabling Manjeet and Sumit to assault him with rods and a *bitta*. The petitioner also extended threats, thereby criminally intimidating the complainant and his family members.

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 16.06.2025. Learned counsel has further submitted that the petitioner is a man aged 65 years, who has been falsely implicated into the FIR in question. Learned counsel has iterated that assuming *arguendo*, the prosecution version is taken to be correct, the petitioner has been ascribed role of catching hold of the injured, namely, Satyaprakash, whereas, the injury is alleged to have been caused by Manjeet and Sumit. Learned counsel has further iterated that aforesaid injured/ Satyaprakash was under the influence of liquor at the time of incident in question. Learned counsel

CRM-M-51696-2025

has further argued that the petitioner is a man with clean antecedents. Thus, regular bail has been prayed for.

4. Learned State counsel has opposed the present petition by arguing that allegations against the petitioner are serious in nature and, thus, he does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 29.09.2025 in Court, which is taken on record.

4.1. Learned counsel for the complainant has opposed the grant of regular bail to the petitioner by arguing that there are direct/ serious allegations against the petitioner. Learned counsel has further argued that, in case the petitioner (herein) had not caught hold of the injured, he could have perhaps saved himself. Learned counsel has further argued that the petitioner – side has been trying to influence/ intimidate the complainant – side. Learned counsel has also argued that the petitioner was an active participant in the crime and thus, bail plea of the petitioner ought to be rejected.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 16.06.2025 whereinafter investigation was carried out and challan was presented on 19.07.2025. Total 24 prosecution witnesses have been cited, but none has been examined till date. It is thus, indubitable that conclusion of the trial will take long time. It is also not in dispute that the petitioner is a man aged 65 years with no criminal antecedents. Though, an argument has been raised by the learned counsel for the complainant that threat/ inducement is being extended at the end of the petitioner, but there is no tangible/ perceptible material in support

CRM-M-51696-2025

thereof and thus, this aspect cannot be considered at this stage. The rival contentions raised at Bar give rise to debatable issues, which shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 29.09.2025 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 03 months and 14 days, & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.

**CRM-M-51696-2025**

(vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

**(SUMEET GOEL)**  
**JUDGE**

**September 30, 2025**  
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No