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2025:PHHC:130744



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

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Date of decision: September 22, 2025

Anil

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:-** Mr. Vishal Sharda, Advocate for the petitioner.

Mr. Deepak Kumar Grewal, DAG Haryana.

Ms. Neha Randhawa, Advocate for the complainant.

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

Present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case bearing FIR No.232 dated 18.07.2025, registered for offences punishable under Sections 351(2), 3(5), 126, 118(1), 115 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Seciton 109(1) of BNS added later on), at Police Station Urban Estate Rohtak, District Rohtak.

2. The gravamen of the allegations against the petitioner is that complainant, namely, Bahadur stated that on 17.07.2025, at about 10:00 p.m., some altercation took place between him and Anil (petitioner herein) with regard to throwing of garbage, and the petitioner slapped the complainant. Meanwhile, another accused Neeraj, armed with knife, came

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on the spot and gave knife blows on the neck and hand of the complainant. Thereafter, both the accused/ assailants gave beatings to the complainant, and upon his raising alarm, his uncle, namely, Kamlesh (neighbourer) came to his rescue. Both the assailants fled away from the spot along with the weapon.

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 18.07.2025. Learned counsel has argued that the petitioner has been falsely implicated into the FIR in question on account of a misunderstanding, which now stands resolved. Learned counsel has argued that assuming *arguendo*, the prosecution version is taken to be correct for the *nonce*, the prime role attributed to the petitioner is that of catching hold of injured as also giving him slap(s). Learned counsel has further iterated that the petitioner is a man in his late twenties, and is the sole bread-earner of his family as also has clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, hence, he ought not to be extended concession of regular bail. Learned State counsel seeks to place on record the custody certificate dated 19.09.2025 in the Court today, which is taken on record.

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 18.07.2025. The culmination of the investigation as also trial emanating therefrom, in case occasion arises, will take long time. The rival contentions raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court

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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 19.09.2025 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 02 months and 01 day, & 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 CJM/ Duty Magistrate.
- (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

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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 22, 2025
mahavir

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