



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CRM-M-53243-2025 (O&M)

Date of decision: 27.11.2025

Vishal

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Ashwani Gaur, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. This second petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.479 dated 13.06.2024, registered under Section(s) 323, 34, 427, 506 (Sections 324, 325, 379-B, 365, 120-B, 201 were added later on) of the Indian Penal Code, 1860 at Police Station Camp Palwal, Palwal.

2. The FIR in the present case was registered on the basis of a written complaint submitted by Rachna, daughter of Shivnarayan, resident of Parshuram Colony, Palwal. In her complaint, she alleged that on 07.06.2024, at approximately 9:00 p.m., her brother Vikas alighted from an auto at Alawalpur Chowk, Palwal, while returning home from Prithla and was waiting for another auto. At that time, two boys from Agwanpur, whom Vikas already knew, one of them identified as Monu, approached him on a motorcycle and offered to drop him home. Once Vikas sat on the



motorcycle, the pillion rider allegedly pointed a country-made pistol at his back and threatened to kill him if he raised an alarm. Vikas was then forcibly taken near Kithwadi bridge, close to Dhanmil, where two vehicles were parked. One of the vehicle was a Venue car bearing registration No. HR-29-AY-2804 and there was another unidentified vehicle, each carrying approximately five boys. In the Venue car were Vishal (son of Suraj), Sunny @ Bachi (son of Subhash), Kapil (son of Deepak), and two others, while additional assailants were present in the second vehicle. It was stated that the aforesaid accused persons forcibly shifted Vikas from the motorcycle into the car. Upon entering the vehicle, one of the boys punched Vikas near his eye, and the group continued to slap and punch him. Thereafter, he was taken to the cremation ground situated behind the Chandgi Ram Gupta Farm House, where all the accused collectively assaulted him with an axe, knife, iron rod, and sticks. It was stated by the complainant that Vishal struck an axe blow on Vikas's head, while the others inflicted further injuries with sticks and a knife. Sunny @ Bachi broke Vikas's mobile phone, while Kapil snatched ₹800 from his pocket and threatened to kill him. Believing Vikas to be dead, the accused fled the scene along with their weapons. On the following day, i.e., 08.06.2024, at about 3:00 p.m., Vikas was spotted by someone, and upon regaining consciousness, he managed to contact his family. The complainant and her elder brother Praveen reached the spot and immediately shifted him to the Government Hospital, Palwal, where he was medically examined and thereafter referred to Life Hospital, Ballabgarh for further treatment. It is further asserted that the incident occurred due to pre-



existing enmity and that the family had already submitted an application on 31.05.2024 at Hathin Gate Police Post, Palwal, against the accused persons. On these allegations, the complainant requested registration of a case and strict action against the named accused and others involved in the incident.

3. Learned counsel appearing on behalf of the petitioner, inter alia, raises the following arguments:-

- (i) That the FIR in the present case has been registered on the basis of the statement made by Rachna, the sister of the injured Vikas, rather than on the statement of the injured himself; and
- (ii) That although the incident took place on 07.06.2024 and the injured Vikas was discharged from the hospital on 11.06.2024, however, notwithstanding the same, the FIR was registered only thereafter, and that too on the statement of his sister, with a delay of two days following the discharge of the injured from the hospital.

4. Learned counsel for the petitioner contends that the injury attributed to the petitioner is simple in nature caused by an axe on the head of the injured Vikas and that no recovery of any weapon has been effected either from the petitioner or from any other person. He further contends that the allegation of snatching pertains merely to ₹800/- and a mobile phone, and that the said mobile phone was itself recovered in a broken condition from the place of occurrence. It is submitted that the grievous injury on the eye was attributed to co-accused/Sunny@ Bachchi. It is further submitted



that the petitioner has undergone an actual custody of 01 year and nearly 04 months in the present case and the trial is likely to take a long time to conclude.

5. Learned counsel for respondent-State contends that the petitioner is involved in two other cases. Rest of the averments noticed above are not disputed.

6. In response thereto, counsel for the petitioner contends that so far as the other two cases are concerned, the petitioner is already on bail in those cases.

7. Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone, age of petitioner (23 years), the stage of the trial wherein only 05 out of the total 12 prosecution witnesses have been examined so far alongwith absence of any recovery from the petitioner and noticing that the injury attributed to the petitioner is assessed as simple in nature and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

8. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

9. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an



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expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

27.11.2025

Mangal Singh

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