



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

237

CRM-M No.53863 of 2025
Date of Decision: 28.11.2025

Gurbaksh ... Petitioner

Versus
State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sandeep Gahlawat, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Mr. Surinder Singh Duhan, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
168	29.05.2025	Narwana Sadar, District Jind	115, 118(1), 126, 190, 191(2) and 191(3) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (109(1), 117(2), 118(2) and 351(2) of BNS added later on)

2. As per the allegations, on 28.05.2025, the victim Raman was going for doing labour work on his motorbike and when he reached near the bus stand of his village, the co-villagers Daya Nand, Raman and Gobind intercepted him and started hurling abuses to him. Raman came back to his house and told his father Sube Singh i.e. the complainant

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about this fact. The complainant pacified his son who left again for his work but at the bus stand, he was again stopped by the above named person, the petitioner Gurbaksh as well as the other accused who were armed with weapons opened an attack upon his son and caused injuries with their respective weapons while making exhortations. The complainant along with his wife rushed towards the spot and then the assailants opened an assault upon his wife and himself. Both of them sustained injuries and had fallen down. They were taken to hospital for treatment. On his statement, the aforementioned FIR was registered. Investigation proceedings were initiated. Offences under Sections 109(1) and 351(2) of BNS were added on the basis of examination of CCTV footage. The petitioner was arrested on 16.07.2025. On interrogation, he suffered disclosure statement admitting his involvement in the occurrence and about causing injuries to the victims. Investigation now stands completed and challan has been presented.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. It is a case of version and cross version as members of the accused party had sustained injuries at the hands of members of the complainant party. A complaint has been moved by one of the accused namely, Ravinder but no action has been taken by the police. As per the investigation carried out by the investigating agency, the petitioner has been attributed simple injuries to witness Santro and Nirmal but there is no recovery of any weapon from him. None of the injured has sustained any injury which can be opined to be dangerous to life. The trial would take considerable time. His further incarceration would not serve any useful

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4. Status report has been filed. Vakalatnama has been filed on behalf of the complainant. Learned Assistant Advocate General, Haryana assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner who by forming membership of an unlawful assembly with the co-accused had caused simple as well as grievous injuries to the members of the complainant party. There are chances of his intimidating the witnesses or absconding, if extended benefit of bail. It is, therefore, urged that he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object of the same, is alleged to have caused simple as well as grievous injuries to the members of complainant party. In the occurrence, as many as nine persons had sustained injuries. It appears to be a case of version and cross version as four members from the side of the petitioner are also proved to have sustained injuries. The petitioner is in custody since 16.07.2025. The trial will obviously take time to conclude. No fruitful purpose is going to be served by keeping the petitioner in custody any more. It is well settled proposition of law that bail is the rule and jail is an exception. In view of the above discussed facts and circumstances, a case is made out for release of the petitioner on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

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shall not be construed as an expression of opinion on the merits of the case.

28.11.2025
harjeet

(MANISHA BATRA)
JUDGE

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