



CRM-M-55213-2025

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

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**CRM-M-55213-2025
Decided on :31.10.2025**

Gurmeet

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Pardeep Duhan, Advocate
for the petitioner.

Mr. Amish Sharma, Asst. A.G., Haryana.

Mr. Daljeet Singh Virk, Advocate for the complainant.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.116 dated 16.05.2025, under Sections 351(2), 324(4), 304, 191(3), 191(2), 190, 115, 110 of BNS, 2023 (Sections 109(1), 111(2)(a), 117(2) and 61(2) of BNS, 2023 were added later on), registered at Police Station Siwani, District Bhiwani, Haryana.

2. FIR was registered at the instance of complainant, Mukesh alias Mangu, regarding an incident that took place on 15.05.2025 at about 4:42 p.m. From the version given in the FIR, dispute appears to have arisen out of the illegal sale of liquor. Feeling aggrieved, victim, acting

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on the instructions of contractor Mukesh Berwal, reached the site to prevent such illegal activity.

It is alleged that the driver of a Scorpio car bearing registration No. T0224RJ07518, identified as Azad, intentionally hit one Praveen with the vehicle, with the intent to kill him. Accordingly, the offence under Section 307 IPC (now Section 109(1) of the BNS) was added later, approximately one month after the registration of the FIR.

Counsel for the petitioner submits that co-accused Azad has already been granted the concession of anticipatory bail by this Court vide order dated 29.08.2025 (Annexure P-3) passed in CRM-M-31916-2025.

3. It is further submitted that there is no medical record or opinion indicating that any injury sustained in the incident was declared dangerous to life.

Counsel argues that the petitioner's role is limited to having allegedly participated in the beating of Praveen, Joginder, and others, along with co-accused Rohtash Kumar and 5–6 other persons, using weapons such as sticks, axes, and swords. However, no specific injury attributed to petitioner has been declared as dangerous to life.

4. Petitioner is in custody since 27.05.2025. Thus, prays for the grant of regular bail, considering that he is in custody for a considerable period and no specific injury dangerous to life has been attributed to him.

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5. On the other hand, learned State Counsel has filed status report by way of affidavit of Aryan Chaudhary, Deputy Superintendent of Police, Siwani, Bhiwani, Haryana, in Court today. Same is taken on record. Referring to paragraph No. 14 of the status report, learned State counsel submits that during the course of investigation, on 20.06.2025, an application was moved to the Medical Officer seeking his opinion regarding the nature of injuries sustained by Parveen and Joginder.

The Medical Officer opined that injuries No. 1, 2, 6, 7, and 8 on the person of injured Joginder were simple in nature, whereas injuries No. 3, 4, and 5 were grievous in nature. Similarly, injured Parveen was found to have suffered injuries No. 5, 6, 7, 8, and 9, which were simple in nature, while injuries No. 1, 2, 3, and 4 were declared grievous in nature.

Learned State counsel further submits that after the declaration of seven injuries sustained by the injured Joginder and Parveen as grievous, the offence under Section 117(2) of the BNS was also added.

However, from the status report, learned State counsel could not point out that any of the injuries sustained by the injured persons, namely Joginder and Parveen, were declared dangerous to life, so as to justify the addition of the offence under Section 109 of the BNS. It has, however, been clarified by the learned State counsel that Section 109 of the BNS was added on account of the role attributed to co-accused Azad, who had allegedly attempted to hit the injured Parveen with the vehicle(scorpio car).

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6. I have heard learned counsel for the parties and perused the paper-book, along with the documents appended thereto and the status report filed on behalf of the State.

7. Having considered the totality of the circumstances, and the fact that the act of hitting the injured Parveen with the Scorpio vehicle is not attributable to the petitioner, who, at most, may be held liable under Section 117(2) of the BNS, and further noticed that petitioner is in custody since 27.05.2025, continued incarceration of the petitioner would serve no useful purpose for the prosecution. This Court finds merit in the prayer of the petitioner.

Accordingly, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

9. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.



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10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

31.10.2025
Rashmi

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*