



CRM-M-59461-2025 and
CRM-M-59572-2025

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

223+114

Date of decision: 20.11.2025

CRM-M-59461-2025 (O & M)
KRISHAN SAINI VS. STATE OF HARYANA

CRM-M-59572-2025 (O & M)
AASHISH @ SEENU VS. STATE OF HARYANA

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sumit Singh Bairagi, Advocate,
for the petitioner in CRM-M-59461-2025.

Mr. Atul Ravish, Advocate,
for the petitioner in CRM-M-59572-2025.

Mr. Gautam Kaile, DAG, Haryana.

AMAN CHAUDHARY, J. (ORAL)

CRM-46534-2025 in CRM-M-59572-2025

Allowed as prayed for. Annexures P-3 and P-4 are taken on
record.

Main Cases:

1. Both these petitions have been filed under Section 483 of
BNSS, 2023 for grant of regular bail to the petitioners in case FIR No.143
dated 11.05.2025, registered at Police Station Ram Nagar, District Karnal,
under Sections 115(2), 190, 191(3), 351(2), 117(1), 118(2) and 238 of
BNS.

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2. Separate status reports by way of affidavit of the Deputy Superintendent of Police, Women Safety, Karnal, filed in the Court, are taken on record.

3. Learned counsel contends that petitioners, namely, Krishan Saini and Aashish @ Seenu, 19 and 21-year-old respectively, have been in custody for about 5 months. They allege false implication. The injury attributed to petitioner-Krishan is with a brick blow while petitioner-Aashish with a danda on the shoulder. Co-accused, Phoolchan has since been granted bail by this Court, vide order dated 14.11.2025, after a custody of more than 3 months. Charges have been framed on 17.11.2025, however, out of 21 PWs, none has been examined. Petitioner-Krishan Saini is involved in 4 other cases wherein he is on bail, however, petitioner-Aashish @ Seenu is not involved in any other case. Reliance is placed on the judgment passed by Hon'ble The Supreme Court titled as **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioners of having inflicted injuries. However, he is unable to controvert the submissions with regard to stage of the case, petitioner-Krishan Saini being on bail in other cases whereas petitioner-Aashish @ Seenu being not involved in any other case and co-accused having been enlarged on bail.

5. Heard.

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6. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (Supra) had held that, “As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court, etc.” Reiterating in **Prabhakar Tewari vs. State of UP and another**, (2020) 11 SCC 648, it was observed that, “The offence alleged no doubt is grave and serious and there are several criminal cases pending against the accused. These factors by themselves cannot be the basis for refusal of prayer for bail.”

7. Considering the facts and circumstances of the case, in particular that the petitioners are in custody for the last 3 months and 28 days, petitioner-Krishan Saini on bail in other cases while petitioner-Aashish @ Seenu not involved in any other case; co-accused is on bail; charges stand framed on 17.11.2025, none out of 21 PWs has been examined, the trial is likely to take a considerable time, further incarceration of the petitioners would be violative of their right enshrined under Article 21 of the Constitution of India, the present petitions are allowed.

8. The petitioners are ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial

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Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioners will not tamper with the evidence during the trial.
- (ii) The petitioners will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioners will appear before the trial Court on each and every date fixed, unless are exempted by a specific order of Court.
- (iv) The petitioners shall not commit an offence similar to the offence of which, they are accused, or for commission of which they are suspected of.
- (v) The petitioners shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioners shall not in any manner misuse their liberty.
- (vii) The petitioners shall furnish their addresses and mobile numbers by way of affidavits to the trial Court and not change the same till conclusion of trial and if for any reasons, they seek to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioners shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

9. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioners by this order.

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10. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

11. Photocopy of this order be placed on the connected file(s).

20.11.2025
parveen kumar

(AMAN CHAUDHARY)
JUDGE

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