



**CRM-M-55633-2025
(O&M)**

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

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CRM-M-55633-2025(O&M)

Date of decision: 8th December, 2025

Nitin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Satyawan Singh Nain, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

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Allowed as prayed for.

Main case

Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 91 dated 17.04.2025, registered under Sections 109(1), 115(2), 117(2), 140(1), 190, 191(3) and 61 of BNS, 2023 at Police Station City Jhajjar, District Jhajjar.

2. Adumbrated facts as emanating from the record are that previously, an altercation had taken place between the complainant Gaurav, his cousin brother Pawan, wherein Harish, Vikas and Naveen, who were hailing from the village of the complainant himself, had assaulted Pawan and caused injuries to him. On 15.04.2025, the complainant and his companions had assaulted Amit, who was friend of above named Harish etc. The



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complainant recorded that on 17.04.2025, he along with his friend Kartik had reached at Bhagat Singh Chowk on the bike of his friend Vikram, when the petitioner along with co-accused reached there in a Scorpio vehicle. His motorbike was hit with Scorpio vehicle, due to which, his friend Kartik and himself had fallen down but the complainant still tried to flee on his motorbike and reached towards the stadium. The assailants followed him in their vehicle and again hit his motorbike. They alighted from their vehicle, forcibly pulled him inside their vehicle and took him to some abandoned house, wherein he was extended beatings with *lathis* and *dandas*. While considering him to be dead, they kept him in their vehicle with intent to throw him somewhere. However, on hearing siren of the police vehicle, they fled. He was taken to hospital and was given treatment. After recording of his statement, the aforementioned FIR was registered. Investigation proceedings were initiated. The petitioner was arrested and is in custody since 22.05.2025. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 22.05.2025. He has been acquitted in four of the cases registered against him. His involvement in other cases cannot be considered to be reason for denying benefit of bail to him. Co-accused Navdeep and Ankush have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. The injuries which have been attributed to him would not serve any useful purpose. Therefore, it is argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he is not entitled to be extended benefit of bail. Therefore, it is urged that the petition



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does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner along with the co-accused is alleged to have formed membership of an unlawful assembly and in prosecution of common object thereof, has caused simple as well as grievous injuries to the complainant. No specific injury has been attributed to him. He is in custody since 22.05.2025. Co-accused Ankush and Navdeep have been extended benefit of bail. His involvement in other cases cannot be considered to be reason for denying benefit of bail to him. His further detention would not serve any useful purpose. It is well settled proposition of law that bail is the rule and jail is an exception. It is also well settled that pre-trial incarceration should not be a replica of post-conviction. Taking into consideration the above discussed facts, but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]
JUDGE**

8th December, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*