



S. No.235

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55880 of 2025
Date of Decision:28.10.2025

Abhishek alias Vipin

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. Deepender Singh, Senior Advocate with
Mr. Dharamvir Singh, Advocate for the petitioner.

Mr. R.K. Ambavta, DAG, Haryana, assisted by
SI Parveen Kumar.

Mr. Tanvir Singh Grewal, Advocate for the complainant.

Yashvir Singh Rathor, J. (Oral)

1. This is first petition filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.106 dated 14.03.2025 registered under Sections 110, 115, 117(2), 190, 191(3) of BNS, 2023 at Police Station Taraori, District Karnal, Haryana.

2. The present case was registered on the basis of statement given to the police by Parmod Bansal with the allegations that he works as a Liaison Officer with the factory of Century Plywood India Ltd., Ramba Road, Gangar, Karnal. Arjun @ Gogi made a whats-app call on his mobile phone and told him that he wants to meet him on which he told him that he is present at the Goshala situated in the factory. After some time, he again made a call to him on whats-app and he told him that he is still in the factory, who asked him to reach at the main gate of



the factory. At about 2:00/2:30 PM, when he reached at the main gate of the factory, Arjun alias Gogi was standing outside alongwith Abhishek, Devender, Satish, Bala, Labhi, Badal, who were armed with lathis and dandas. Arjun alias Gogi alleged that he gives information about them to the police at Karnal and today they will teach him a lesson and thereafter, they launched an assault upon him, as a result of which, he suffered fractures in his both hands and legs and some injuries on his head. His employees, namely, Rakesh, Dinesh, Om Parkash and Ramesh tried to rescue him but they kept on beating him and thereafter, they left the spot on the motor-cycles presuming him to be dead. He was taken to Amritdhara Hospital, Karnal by his employees where he is still under treatment. He alleged that accused have assaulted him with an intention to kill him and he sought action against them. The matter was investigated. The medico legal report of the injured was obtained and he was found to have suffered fractures in his both hands and legs. The CCTV footage of the camera was also collected in which the entire incident was allegedly captured. On 15.03.2025, accused namely Arjun alias Gogi, Devender, Ishwar, Akash and Ankush were arrested and they suffered disclosure statements and got recovered the weapons of offence and the motor—cycles used in committing the crime. Accused – Abhishek (petitioner) was arrested on 26.04.2025 and he also suffered disclosure statement. The medico legal report of injured Parmod Kumar Bansal was obtained from Fortis Hospital, Gurugram and Amritdhara Hospital, Karnal and doctor declared the injuries to be grievous in nature but no injury was found to be dangerous to life. After completion of investigation, the final report was presented.



3. Upon notice, learned State Counsel has appeared. Learned counsel for the parties have been heard and the material placed on record has been perused.

4. Status report by way of an affidavit of Shri Mahabir Singh, HPS, Deputy Superintendent of Police, Nilokheri, District Karnal has been filed on behalf of the respondent- State along with the custody certificate. The same are taken on record.

5. Learned counsel for the petitioner argued that no specific injuries have been attributed to the petitioner and even as per CCTV footage, he was seen standing near the place of occurrence and had not caused any injury to the victim. Learned counsel further contended that no offence under Section 110 of BNS, 2023 is made out as injuries have been suffered in hands and legs which are non vital parts and the afore-said offence has been added just to make it a graver offence. Challan has already been presented after completion of investigation and charge has also been framed. One witness has been examined out of 20 witnesses cited by the prosecution. Petitioner is in custody since 26.04.2025. Further detention of the petitioner is thus not required and he may be released on bail.

6. On the other hand, learned State Counsel assisted by counsel for the complainant has opposed the bail and argued that specific and active role is attributed to the petitioner as he was member of unlawful assembly which assaulted the victim. Victim was mercilessly beaten and he has suffered fractures in both hands and legs and fractures have been diagnosed in all four limbs. Trial is at initial stage and in case petitioner is released on bail, he will try to intimidate the victim or win over the witnesses and he does not deserve concession of bail.



7. Petitioner is in custody since 26.04.2025. Victim has suffered fractures in his hands and legs. Injuries are only grievous in nature and no injury has been declared to be dangerous to life. 0As to whether offence under Section 110 of BNS will be made out or not shall be the subject matter of trial. Challan has already been presented after completion of investigation and trial is certainly going to take long time to conclude. It well settled that bail is the rule and jail is an exception and bail should not be denied as a punitive measure or a form of punishment before conviction and no useful purpose will, thus, be served by detaining the petitioner in custody anymore.

8. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/ Duty Magistrate concerned, on usual terms and conditions.

9. Pending misc. application(s), if any, shall also stand disposed of.

(Yashvir Singh Rathor)
Judge

October 28, 2025
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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No