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

CRM-M-58801-2024 (O&M)

Date of decision : 11.02.2025

Man Singh

....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Tanuj Sharma, A.A.G., Haryana.

Mr. Rakesh Gupta, Advocate with
Ms. Sonika Garg, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)**CRM-49140-2024**

Allowed as prayed for.

CRM-M-58801-2024

1. Present petition has been filed for grant of regular bail in case FIR No.175 dated 17.05.2024, under Sections 148, 149, 308, 323, 324, 326, 506, 307/34, registered at Police Station Sadar Gohana, District Sonapat.
2. Succinctly the facts of the case are that the FIR in the present case was registered on the statement of the complainant Prince S/o Vedpal. It was alleged that his sister Neha was married with Mukesh about 02 years ago, however, there were some matrimonial disputes among them and hence, the brother-in-law, namely Mukesh, used to gave beatings to his sister. On 16.05.2024, his brother-in-law, namely Mukesh had given



beating to his sister and the same was informed by his sister to her family members. On receiving the information, they went to the village of in-laws of his sister, however, the in-laws of his sister got furious and they started beating them. It was alleged that his brother-in-law, namely Mukesh was armed with Kukhari, whereas father-in-law of Neha, namely, Man Singh (present petitioner) was armed with *jaili*. It was alleged that the petitioner attacked his father with *jaili* and others gave beatings with rods, *lathis* and *dandas*. Request was made to take legal action against the culprits. On the registration of FIR, the investigation commenced. The injured were admitted to the Hospital and they were medico-legally examined. The petitioner was arrested on 05.06.2024. The petitioner approached the Learned Additional Sessions Judge, Sonapat praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Additional Sessions Judge, Sonapat vide order dated 27.09.2024. Aggrieved by the same, the petitioner approached this Court praying for grant of bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submits that the petitioner is the father-in-law of the sister of the complainant. He submits that in the facts and circumstances of the present case, it is apparent that it was totally a matrimonial dispute. He submits that the alleged occurrence has not taken place in a pre-meditated manner and the alleged occurrence at the most happened at the spur of the moment. Even otherwise, it is submitted that the allegations against the petitioner are not substantiated as subsequent to the FIR, the statement of the injured, namely, Vedpal was recorded under Section 161 Cr.P.C., wherein he has deposed that the head injury had been suffered by him



which had been attributed to Mukesh and not to the petitioner. It is submitted that the investigation is complete, charges are framed and the case is fixed for recording of evidences on 05.03.2025. However, the prosecution witnesses are intentionally not appearing just to prolong the incarceration of the petitioner. He has submitted that the petitioner is a retired officer from ITBP and hence, a law abiding person who has no criminal antecedents and thus, in the facts and circumstances of the case the petitioner deserves to be granted bail.

4. Learned counsel for the complainant, however, has opposed the submission made by learned counsel for the petitioner and submits that there are specific allegations against the petitioner, who had caused head injury to injured-Vedpal, which was declared dangerous to life and thus, he is the main accused.

5. Learned State counsel has drawn the attention of this Court to the status report filed. He submits that on the registration of the FIR, the investigation was carried out and as per the medical conducted, injured-Vedpal had suffered head injury, which is attributed to the petitioner. He submits that the case is fixed before the trial Court for recording the evidences and out of total 19 prosecution witnesses, however, none has been examined. He has placed on record the custody certificate of the petitioner.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the occurrence had taken place due to a matrimonial dispute between both the sides. From the arguments and counter arguments raised, the head injury has not been attributed to the petitioner, however, there is no gain saying that the petitioner is behind bars since 05.06.2024. The investigation is already complete, charges are also

framed and the case is fixed before the trial Court for recording of the evidences. The custody certificate produced would show that the petitioner has no criminal antecedents.

7. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

11.02.2025
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(RAJESH BHARDWAJ)
JUDGE

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