



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-59742-2025 (O&M)
Date of decision: 15.12.2025

DURGES KUMAR @ DURGESH KUMAR

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Jaskaran Singh, Advocate and
Ms. Gurpalak Kaur, Advocate for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

YASHVIR SINGH RATHOR. J.(Oral)

CRM-49910-2025

1. The present application under Section 528 of BNSS, 2023 has been filed for preponing the date of hearing from 14.01.2026 to some early actual date of hearing.
2. For the reasons mentioned in the application, the same is allowed and the main case is preponed from 14.01.2026 to 15.12.2025 i.e. today itself.
3. Application stands disposed of.

CRM-49911-2025

4. Present application under Section 528 of BNSS has been filed for placing on record the copy of bail orders dated 09.09.2025 and 01.12.2025 (Annexures A/1 and A/2).
5. For the reasons mentioned in the application, the same is allowed. Annexures A/1 and A/2 are taken on record subject to all just exceptions.



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6. This is the first application under Section 483 of BNSS, 2023 for grant of regular bail in case FIR No.221, dated 20.04.2025, registered at Police Station Indri, District Karnal, Haryana under Sections 190, 191(3), 110, 115, 117(2), 126, 351(3) and 61 of BNS, 2023 (Section 118 of BNS, 2023 added later on and then deleted).

7. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

8. The present case was registered on the basis of the statement given to the police by Mahinder Singh son of Purna Chand with the allegations that on 19.04.2025, he along with his son namely Lavish and driver Kuldeep had gone to village Bir Majri on his tractor and reaper machine. At about 7.00–8.00 p.m., he was working in the fields of Omi Lal and about 15–20 persons came there on 4–5 motorcycles, who were armed with wooden dandas and they launched an attack upon him and his son Lavish and inflicted injuries to both of them. The leg of his son Lavish got fractured and he suffered a fracture in his shoulder. When they saw the villagers arriving at the spot, they ran away from the spot but left behind one motorcycle bearing registration No. HR-75-A-0547. He inquired about those boys from Lavish and he told that for the last few days, he was receiving threatening calls from Akrish son of Baldev and his friend Prince, who were abusing him and threatening to kill him and he sought action against him. During investigation, Azad Singh was arrested on 20.04.2025. Chandan was arrested on 11.05.2025, Ankit was arrested on 28.04.2025, Prince was arrested on 28.04.2025 and Ankush



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was arrested on 05.08.2025. Petitioner-Durges Kumar @ Durgesh Kumar was arrested on 11.05.2025. In all, 10 accused were arrested, out of whom one was found to be juvenile. After completion of the investigation, final report has been presented in the Court for trial.

9. Learned counsel for the petitioner contended that petitioner has not been named in the FIR. No test identification parade of the petitioner has been got conducted. Learned counsel further contended that one of the accused namely Parvej Khan, who was also not named in the FIR, has been released on anticipatory bail by a Coordinate Bench of this Court vide order dated 09.09.2025. Learned counsel next contended that no offence under Section 110 of BNS, 2023 is made out as no injury has been suffered on any vital part. Petitioner-Durges Kumar @ Durgesh Kumar was arrested on 11.05.2025. Learned counsel lastly contended that co-accused namely Azad Singh, Chandan, Ankit, Prince and Ankush have already been released on bail by this Court vide order dated 01.12.2025 and case of the petitioner is identical to that of co-accused. Now, challan has been presented in the Court for trial, after completion of investigation. The trial is likely to take a sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he may be released on bail.

10. On the other hand, learned State counsel has opposed the bail and argued that petitioner has committed a heinous offence and in view of the gravity of the offence, he does not deserve the concession of bail.

11. One of the injured namely Lavish has suffered injury in his leg and the complainant has suffered injury on his shoulder. No injury has been suffered



on the head, which is a vital part. As such, it will be a debatable question during the trial as to whether the offence under Section 110 of BNS, 2023 is attracted or not. One of the accused namely Parvej Khan, who was also not named in the FIR, has been released on anticipatory bail by a Coordinate Bench of this Court vide order dated 09.09.2025. Co-accused namely Azad Singh, Chandan, Ankit, Prince and Ankush have already been released on bail by this Court vide order dated 01.12.2025 and case of the petitioner is identical to that of co-accused. Challan has been presented in the Court for trial, after completion of investigation. The trial is likely to take a sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

12. 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.

15.12.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

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