



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-62022-2024 (O&M)
Date of Decision:- 12.03.2025

DEEPANSHU KUMAR @ DIPANSHU SHARMA

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Fateh Saini, Advocate for the petitioner.
Mr. Vipul Sherwal, AAG Haryana.
Mr. Dhruv Gupta, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
424	18.10.2024	110, 115, 126(2), 35 of BNS; (304 BNS added later on)	Ambala Cantt. District Ambala

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern whatsoever with the allegations levelled in the FIR and even otherwise, the injuries sustained by the complainant are simple in nature. He submits that the petitioner is in custody



since 19.10.2024 and after the completion of investigation, challan has been presented in Court but till date no witness has been examined by the prosecution and the conclusion of trial will take sufficient long time, thus, prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel assisted by learned counsel for the complainant, while referring to the status report filed by the State has opposed the petition on the ground that the petitioner along with co-accused had assaulted the complainant with slaps, dandas and snatched his purse. He submits that consequent upon the arrest of the petitioner, the danda used by the petitioner in the occurrence has been recovered from him. He has, however, not disputed the fact that after the completion of investigation, challan has been presented in Court.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution on 17.10.2024 at about 09:00 PM, when the complainant was coming back to his house, an Activa abruptly blocked his way and four unknown boys, who were armed with dandas, assaulted him and snatched his purse containing ₹4500/- cash, ATM, DL and his mobile phone and inflicted injuries on his head, right arm and back. Accordingly, the FIR was registered and during the course of investigation, the petitioner was arrested on 19.10.2024 and since then he is in judicial custody. Admittedly, the injuries sustained by the complainant are simple in nature and alleged recovery of danda, used in the commission of offence, has already been effected from the petitioner. After the completion



of investigation, challan has been presented in Court, wherein the prosecution has cited 13 witnesses but till date none has been examined. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

12.03.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No