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

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CRM-M-60798-2025 (O&M)
Date of decision:01.12.2025

Aabid

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sahil Gupta, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

Ms. Apurva Walia, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to him in case arising out of FIR No.138 dated 17.06.2025, registered under Sections 191(3), 190, 115, 126(2), 333, 324, 351(2), 118(1), 118(2), 117(2), 61(2) of the BNS and Section 251(1)(B) of the Arms Act, at Police Station Sadar Tauru, District Nuh.

2. The aforementioned FIR was registered on the basis of written complaint submitted by the complainant – Khalid alleging that on 15.06.2025, elections for the post of Sarpanch was being held in his village. His daughter had won the elections by 341 votes. Petitioner had faced the defeat. The petitioner along with co-accused hatched a conspiracy and in

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pursuance of the same, he left his house on 17.06.2025. On the same day, the complainant had convened a meeting of his voters and other political persons. The members of the accused party were aware about that fact and on the same day, they opened an attack upon the persons who had come to attend the meeting including some Ministers. They had narrow escape since illicit weapons had been used and brickbats had been thrown over such persons. Even firearm had been used. The accused Jubair fired a shot upon the complainant and he had a narrow escape. His companions had also assaulted the complainant party. They sustained serious injuries. By alleging that this has been done by the petitioner along with the co-accused, he prayed for taking action in the matter. After registration of the FIR, investigation proceedings were initiated. Petitioner was arrested on 19.06.2025. The victims had been medically examined. Co-accused were also arrested. Subsequently investigation stands concluded. The petitioner along with co-accused is facing trial for commission of the aforementioned offences.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. The injury that has been attributed to him has been opined to be simple in nature. The trial will take considerable time to conclude. Co-accused Aakil, Tarif, Aamir and Jabid have already been extended benefit of bail. On parity, he too deserves to be extended the same benefit. He has clean antecedents. There are no chances of the petitioner's absconding. No useful purpose would be served by keeping him in custody

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anymore. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed. Learned State counsel has argued that the petitioner by forming membership of an unlawful assembly, had voluntarily caused simple as well as grievous injuries to the complainant by criminally trespassing into their house. Injury sustained by Talim has been opined to be simple in nature. Even recovery of a *farsa* has been effected from him. There are chances of the petitioner's absconding or intimidating the witnesses, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have also gone through the record.

6. The petitioner is in custody since 19.06.2025. Injury that has been attributed to him has been opined to be simple in nature. He has been linked with the subject offence with the aid of Section 190 of the BNS. It is a matter of trial, which is to be concluded on thorough assessment of the evidence to be adduced before the trial Court and not at this stage. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts, on the ground of parity and without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petitioner has made out a case for his release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal as well as surety bonds to the satisfaction of the Court concerned/Duty

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Magistrate.

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

01.12.2025

(MANISHA BATRA)
JUDGE

harjeet

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