



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

237

CRM-M-1054 of 2025

DATE OF DECISION :- 06.02.2025

Monu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

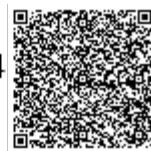
Present:- Mr. Ravinder Singh Dhull, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of regular bail
to the petitioner in FIR No. 0281 dated 01.07.2024, registered under Sections
109(1), 115, 118(1), 3(5), 351(3) of Bharatiya Nyaya Sanhita, 2023 at Police
Station Kaithal, District Kaithal.

2. Brief facts of the case relevant for the disposal of the present
petition are that the aforementioned FIR has been registered on the basis of the
complaint lodged by the complainant Dimple on the allegations that on
01.07.2024, at about 7.00 P.M., she was sitting outside her house along with her
mother when the accused Rakesh, who is her husband reached there along with
present petitioner and one Kapil. They were armed with weapons and opened
an assault upon her mother as well as herself. The petitioner struck blows with
lathis on the person of the complainant and on herself thereby injuring them



and thereafter the assailants fled away from the spot. After registration of the FIR, investigation proceedings were initiated. The present petitioner was arrested on 02.07.2024. The co-accused were also arrested. Investigation stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case due to the fact that he is having friendly relations with the co-accused Rakesh and the complainant is having strained relations with him. No grievous injury has been attributed to him. The petitioner is in custody since long. The custodial interrogation of the petitioner is not required. No recovery remains to be effected from the petitioner. Trial is likely to take time. His further incarceration even otherwise would not serve any useful purpose, therefore, it is urged that the petitioner deserves to be extended the benefit of bail.

4. Mr. Rishu Garg, Advocate has filed memo of appearance for the complainant. The same is taken on record.

5. Learned Deputy Advocate General, Haryana assisted by learned counsel for the complainant has argued that allegations against the petitioner are serious in nature as in furtherance of his common intention with the co-accused, he had assaulted the complainant and her mother and had caused injuries to them. The complainant had sustained five injuries one of which was grievous whereas her mother had sustained two injuries. It is conceded that the injuries so sustained have not been opined to be dangerous in nature. However, it is urged that the petitioner does not deserve to be extended the benefit of bail.

6. I have heard learned counsel for the parties at considerable length and have perused the material placed on record.



7. The petitioner along with co-accused is alleged to have opened an assault upon the complainant and her mother and is further alleged to have voluntarily caused simple as well as grievous injuries to them. One of such injury had been sustained by the complainant on her head though it has not been opined to be dangerous but it was grievous in nature. The petitioner is in custody since 02.07.2024. Investigation has been completed. Challan has been filed and trial will take time to conclude and it is yet to be commenced. No useful purpose would be served by keeping the petitioner in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

06.02.2025

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(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>