



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

211

CRM-M No.69512 of 2025

Date of decision : 19.12.2025

Date of uploading : 19.12.2025

Prince

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sandeep Singh Jattan, Advocate and
Ms. Sandeep Kaur, Advocate,
Ms. Varsha Chaudhary, Advocate, for the petitioner

Mr. Gurmeet Singh, AAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.74 dated 25.4.2025 under Sections 190, 191(3), 115(2), 118(1), 351(2), 351(3) and 333 of Bharatiya Nyaya Sanhita, 2023 (Sections 109(1), 118(2) and 238(c) of BNS added later on), registered at Police Station Sadhaura, District Yamuna Nagar.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement by Nathu Ram, son of Paras Ram, resident of village Thaska, Police Station Sadaura, District Yamuna Nagar, age 70 year mobile No. 8397038052 stated that I am a resident of the above mentioned name and address and I work as a farmer. I have two sons, the elder one is Sohan



Lal and the younger one is Sanjeev Kumar. Both the sons are married and we all live together. My son Sohan Lal runs a milk dairy and has kept 8 buffaloes and 5 cows for milk. My son Sanjeev Kumar, after having dinner at home as usual, went to sleep in the cattle shed on the boundary built outside the village at around 10.00 PM on 24.04.2025, when at around 2:30 AM my grand-daughter Mehak told me that Grand-father, someone had attacked my father Sanjeev and injured him. On receiving this information, I took our village's former Sarpanch Raghubir along with me to the cattle shed where my son Sanjeev Kumar was lying injured. Whose left arm was cut in two places by a sharp-edged weapon and both legs have wounds caused by a sharp-edged weapon. I, with the help of Pradeep Kumar son of Gyan Chand, Jaswinder son of Amar Singh, Surendra son of Raghubir, Manish son of Swaroop Singh resident of village Thaska, police station Sadhaura, district Yamunanagar who were present at the spot with the help of these we put my son Sanjeev Kumar in a private vehicle and brought him to CHC Sadhaura. Where after giving first aid to my son Sanjeev Kumar, my son Sanjeev Kumar was referred to Civil Hospital Jagadhri. We put my son Sanjeev Kumar in a government ambulance and brought him to Civil Hospital Jagadhri, where the doctor bandaged my son Sanjeev Kumar and referred him to MLGH Yamunanagar. We took my son Sanjeev Kumar to MLGH Yamunanagar and got him admitted to Kohli Hospital Jagadhri. My son Sanjeev Kumar regained consciousness on the way and told me that the attackers were 6/7 persons who had covered their mouths with cloth and attacked me repeatedly with swords and axes in their hands. Due to which my left arm was cut in two places and there are wounds of sharp edged weapons on both legs also. I do not know the names and addresses of these unknown attackers. My son Sanjeev Kumar is under treatment in Kohli Hospital Jagadhri. Strictest legal action should be taken against the unknown attackers who injured my son Sanjeev Kumar with sharp edged weapons with the intention of killing him. Today I have given my statement to you at Kohli Hospital Jagadhri, I have heard it, it is correct. SD Nathu Ram Attested Sunil Kumar HC PS SADHAURA DT 25.04.2025.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 28.8.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned



counsel has further submitted that investigation *qua* the FIR stands completed and challan already stands presented. Learned counsel has further submitted that even the motive is attributable to one co-accused Mandeep @ Mintu and not to the petitioner. Learned counsel has further submitted that the petitioner is a young man aged 19 years. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 18.12.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 28.8.2025 and is in continuous custody since then. Upon culmination of investigation, challan was presented on 11.11.2025, wherein total 25 prosecution witnesses have been cited but none has been examined till date. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 18.12.2025 filed by learned



State counsel, the petitioner has already suffered incarceration for a period of 3 months and 20 days. As per the said custody certificate, the petitioner is stated to be involved in one more FIR bearing No.346/2024. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-



- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

19.12.2025
Ashwani

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