



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M No.70832 of 2025

Date of decision : 19.12.2025

Date of uploading : 19.12.2025

Rohit

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. J.S. Hooda, 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.113 dated 2.5.2025 under Sections 115(2), 118(1), 126(2), 190, 191(3), 351(3) of Bharatiya Nyaya Sanhita, 2023 (Sections 109(1) and 3(5) of BNS added later on), registered at Police Station Chandhut, District Palwal.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as followed:

'Statement of unknown Dinesh Kumar son of Deepchand resident of Allawalpur, age 31 years, phone number 8813020054 stated that I am a resident of the above address and I run an electrical goods shop. On 29.04.2025, there was an altercation between my uncle's son Nitesh son of Balkishan and Avkash son of Ransingh, in which I had told Akku not to do such acts, regarding which he had said that due to the grudge, Akku had



said that I have to deal with you first. Yesterday on 1.05.2025 at 08.30 PM, I was going to my home on my motorcycle after closing my shop. When I reached near BSNL exchange, three motorcycles came from behind me on which Akku son of Ransingh, Jatin son of Subhash, Ajju son of Bachchu, Yogesh son of Shivram and another boy who had tied a cloth on his face, whom I could not recognize. All of them had sticks, axes and hammers in their hands. He stopped me by placing his motorcycle in front of mine and asked me to treat him properly. Akku then hit my legs with the axe he was holding, Ajju and Yogesh hit my hands and legs with the hammer in their hands and Jatin also hit me with the axe he was holding in his hand. I fell down and I shouted for help, then the people of the neighbourhood and my uncle Jaiprakash rescued me from these people and while leaving they all kept saying that you have saved me today, we will kill you when we get another chance. After that my family members came and brought me to Guru Nanak Hospital, Palwal for treatment, I am undergoing treatment here. I have written my statement to you, heard it, read it, which is correct. Due to injury in my hand, I will not be able to sign, I will put the thumb of my left hand. I have written the statement, which is correct. SD- Dinesh Applicant Dinesh Kumar son of Deepchand resident of Alawalpur Phone number 8813020054.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 28.6.2025. Learned counsel has further submitted that the petitioner was not named in the FIR and no requisite TIP (Test Identification Parade) was conducted so as to connect the crime with the petitioner. Learned counsel has further argued that the investigation *qua* the FIR is already complete. Learned counsel has further argued that no specific role/injury has been attributed to the petitioner. Learned counsel has further submitted that the petitioner is a young man aged 18/19 years with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in



nature and, thus, he does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 18.12.2025, in the Court today, which is taken on record.

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

6. The petitioner was arrested on 28.6.2025 whereinafter investigation was carried out and challan was presented on 16.8.2025. Total 25 prosecution witnesses have been cited and it is conceded case that none has been examined till date. The rival contentions raised at Bar 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 the learned State counsel, the petitioner has already suffered incarceration for a period of 5 months and 22 days & is not shown to be involved in any other case.

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

Ashwanii

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No