



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

CRM-M-6726-2026
Date of decision: 22.04.2026

MANISH GIRI

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Saleem Ahmed, Advocate for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner is seeking regular bail in case bearing FIR No.537 dated 10.10.2025 registered under Sections 115(2), 126(2), 190, 191(2), 191(3), 351(3), 110 and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Sector 58, District Faridabad, Haryana.

2. In nut-shell, the present FIR registered on the basis of statement made by complainant-Manish Tayal, who stated that on 04.10.2025, when he was present in his shop, six boys riding on three different motorcycles came to his shop, and after pushing customers aside, they attacked him with a steel rod. As per complainant, when the assailants were trying to hit his head with the help of stick, in order to save himself, he put his hand on his head, and thus, suffered injuries on his hand. The complainant further stated that when he became unconscious, the assailants fled from the spot. The allegation against the petitioner is that he caused a *danda* blow on the head of the complainant.



3. Learned counsel for the petitioner contended that petitioner has been falsely involved in the present case; the petitioner has not been named in the FIR and has been nominated in the present case only on the basis of disclosure statement made by co-accused, which is inadmissible in evidence; injuries caused to the complainant are simple in nature, hence, no offence under Section 110 of BNS is made out; co-accused, namely, Jitender Malik @ Jeet has already been granted the concession of anticipatory bail by a Coordinate Bench of this Court, vide order dated 27.11.2025 passed in **CRM-M No.66489 of 2025 (O & M)**; petitioner is in custody since 16.10.2025 i.e. for the last more than 06 months; investigation has already been completed; challan has been presented and the case is now fixed for prosecution evidence; petitioner is not involved in any other case, except the present one and the trial will take sufficient time to conclude. As such, learned counsel prayed for grant of regular bail to the petitioner.

4. Reply dated 22.02.2026 by way of affidavit of Vivek Kundu, HPS, Assistant Commissioner of Police, Mujesar, District Faridabad filed on behalf of respondent-State as well as the custody certificate of the petitioner dated 21.04.2026 are taken on record. Learned State counsel, on instructions from ASI Kamal Singh, opposed the prayer made by the petitioner by submitting that co-accused Jitender Malik @ Jeet hired two persons to cause injuries to the complainant, who further hired the petitioner for the same purpose by paying an amount of Rs.55,000/-; the allegation against the petitioner is that he caused a *danda* blow on the head of the complainant. On a pointed Court query put by this Court to learned State counsel about the nature of injuries, he answered that all the injuries are simple in nature.



5. Heard.
6. Keeping in view the facts and circumstances of the present case and the contentions raised by learned counsel for the parties that the petitioner is in custody since 16.10.2025 i.e. for the last 06 months and 06 days; the investigation has already been completed; the case is fixed for prosecution evidence; the injuries are simple in nature and there is no material on record which would suggest that the petitioner is involved in any other criminal case, except the present one; trial will take sufficient time to conclude; no fruitful purpose would be served by keeping the petitioner in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both the parties and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioners.
7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

April 22, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |