



CRM-M-6326-2026

1

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

211

CRM-M-6326-2026

Decided on :07.04.2026

Bhupender

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Manoj Kaushik, Advocate for the petitioner.

Mr. P.K. Jhanda, Sr. DAG, Haryana.

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SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS seeking regular bail in case FIR No.02 dated 07.01.2025, under Sections 115, 126, 3(5), 351(3) of BNS, and Sections 61 and 109(2), 117(2) of BNS were added lateron), registered at Police Station Bawani Khera, District Bhiwani.
2. Present case was registered on the statement of the complainant-Sonu Sharma s/o Gopal Sharma, and the allegations of the prosecution are stated as under:

“ that on 06.01.2025, at about 6.22 P.M. he received a call from an unknown person that his (complainant) brother was lying on Pur road in injured condition, upon which, the complainant reached at the spot and found that his brother was lying there in injured condition and blood was oozing from the injuries. He shifted his brother to Civil Hospital, Bawani Khera from where his brother was referred to Bhiwani. His brother disclosed to him that when he was going for walking towards village Pur, an Alto car came from behind and directly hit him.



CRM-M-6326-2026

2

When he got up and started walking, then three persons alighted from the said car, blocked his way and caused injuries with "Farsa" and iron rod on his hands, legs and head and also extended threats to kill him. Thereafter, out of them one stated that Raj Kumar someone is coming, let's go. After that they left him and went away. His brother has already having a dispute with his maternal uncle's sons Jogender and Bhupender and he has suspicion that they got Naveen injured. Request was made to trace out the culprits and take appropriate legal action against them. On the basis of abovesaid complaint, present FIR under Sections 115, 126(2), 351(3) 3(5) of B.N. S., 2023 was registered."

3. Learned Counsel for the petitioner submits that, as per the information provided by injured-Naveen, to his brother-Sonu Sharma, there was a dispute involving his uncle's sons, namely Jogender and Bhupender. One of them, Jogender, has already been granted bail by the co-ordinate Bench of this Court vide order dated 18.09.2025 (P-5) passed in CRM-M-33740-2025. The role assigned to co-accused-Jogender was limited to conducting reki of injured-Naveen.

Counsel further submits that, as per FIR, no specific injury has been attributed to any of the accused. Rather, on the basis of suspicion against two of the accused, namely Jogender and Bhupender, the FIR was registered, and petitioner's name surfaced thereafter during the course of investigation. The injuries allegedly suffered by Naveen, as noticed in the order granting bail to co-accused Jogender, read as under:

"i) Laceration of 0.5 cm and 0.2 cm over left leg adv sray left leg ortho opinion.



*ii) Swelling over right leg adv ray right leg ortho opinion. iii) Swelling of 4*4 cm over left forearm and wrist adv xray left forearm ortho opinion.*

*iv) Swelling of 5*4 cm over right forearm with bone protruding out adv xray right forearm with wrist ortho opinion.*

*v) Laceration of 6*2 cm over right side of forehead adv ncct head sr opinion.*

*vi) Laceration of 03.0*2 cm with swelling over right arm adv xray right arm ortho opinion."*

4. On being asked by the Court, learned State Counsel informed that injured-Naveen, has already been examined in Court and has fully supported the case of the prosecution. However, Counsel submits that out of the total six injuries, five, though inflicted on non-vital parts, were declared grievous. Since injured has supported the case of the prosecution while appearing in the witness box, counsel contends that there is no ground for extending the concession of bail to the petitioner.

5. I have considered the submissions made and have gone through the record, along with the appended documents.

6. Considering the fact that petitioner is aged 44 years and is in custody since 16.02.2025 (i.e., for more than one year), and is not involved in any other case, and further noticing that the injured has already been examined in Court, as well as co-accused of the petitioner, against whom the motive was directly attributed in the FIR, has already been released on regular bail by the co-ordinate Bench, this Court does not find any substantial reason to continue the detention of the petitioner in jail any longer.

**CRM-M-6326-2026****4**

7. With the aforementioned observations and without expressing any opinion on the merits of the case, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

07.04.2026***Rashmi***

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No