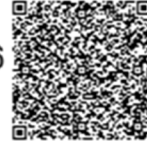


2026:PHHC:059366



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

224

CRM-M-11645-2026

Date of decision: 20th April, 2026

Sikander

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Virender Soni, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 462 dated 11.11.2025 registered under Sections 115(2), 118(1), 351(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 117(2) of BNS and Section 25(1-B)(a) of Arms Act were added later on) at Police Station City Rohtak, District Rohtak.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Rita alleging that in the morning of 10.11.2025, she had come to Sharma Adarsh School, Kartarpura, for the purpose of her employment. Accused Gaggi @ Bijender and Babbu @ Sikander, i.e. present petitioner, who had been residing in neighbourhood had

2026:PHHC:059366



parked a car in front of the gate of the school. Gaurav, owner of the school told them to remove the car and then verbal altercation had started between them. Within her sight, the petitioner brought swords and opened an attack upon Gaurav and herself with the sword thereby causing injuries to them. On arrival of other persons, both of them fled away. After registration of FIR, investigation proceedings were initiated. Medico legal report of the injured had been obtained. CCTV footage of the site of occurrence had also been procured. The petitioner and co-accused were arrested on 26.11.2025. They suffered disclosure statements admitting their involvement in the crime and demarcated the place of occurrence. The petitioner got recovered the sword used at the time of occurrence. Offences under Sections 25(1)(b) of Arms Act and Section 117(2) of BNS were added later on. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. The victim Gaurav had fled away from PGIMS, Rohtak without getting himself discharge and got himself admitted in a private hospital to secure a false report. The petitioner is in custody since long. The trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody anymore. He has clean antecedents. It is, therefore, argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel while relying upon the status report, has argued that the allegations against the petitioner are serious in

2026:PHHC:059366



nature as in connivance with the co-accused, he had caused simple as well as grievous injuries on the person of the victims. The victim Gaurav had sustained 09 grievous injuries out of 10 injuries so sustained, whereas one injury sustained by the complainant has been opined to be simple in nature. There are chances of petitioner's intimidating the witnesses or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

6. The petitioner in connivance with the co-accused is alleged to have voluntarily caused simple as well as grievous injuries on the person of the complainant. The allegations prima facie make out a case for commission of subject offences as against the petitioner, however, he has been in custody since 27.11.2025. He is not required for further investigation. No fruitful purpose would be served by detaining him in custody anymore. His antecedents are clean. There is no basis for contention that he will intimidate the witnesses. It is well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentence and that bail is the rule and jail is an exception. Taking into consideration the nature of the subject offences, the period spent by the petitioner in custody and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing

2026:PHHC:059366



personal/surety bonds to the satisfaction of the learned trial Court/Chief
Judicial Magistrate/ Duty Magistrate concerned.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
8. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

20th April, 2026
Parveen Sharma

- | | | |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |