

2026.PHHC.061215



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

CRM-M-15111-2026

Date of decision: 22nd April, 2026

Sanjay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Som Nath Saini, 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. 188 dated 25.06.2025 registered under Sections 191(3), 190, 103(2), 115(2) and 126 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Bawani Khera, District Bhiwani.

2. The aforementioned FIR was registered on the basis of statement got recorded by the complainant Mangal alleging therein that on 24.06.2025, accused Sanjay, i.e. the petitioner, who is husband of his cousin Santosh, had caused injuries to Santosh. A quarrel had taken place between them. On coming to know about this fact, the family of the complainant had sent Baby, the paternal aunt of Santosh and his cousins Pardeep and Rajesh to the

2026.PHHC.061215



matrimonial house of Santosh at village Alakhpura. Some verbal altercation had taken place between them. Even the police had been called. Then Pardeep and Baby after bringing Santosh and Kavita (who was the sister of Santosh and was married to the brother of the petitioner) as well as children of Santosh and Kavita had come to government hospital for treatment of Santosh and Kavita, who had sustained injuries. Kavita had told them that clothing of her children and herself was in her matrimonial house and asked them to bring the same. The complainant along with his cousins Pardeep and Rajesh had gone to the matrimonial house of Kavita and Santosh at village Alakhpura to fetch their clothing. They reached there and asked for clothing. The petitioner and his brothers Ram Mehar and Amit opened an attack upon them and caused injuries on their person with *lathees*, *dandas* and iron rods. They also confined them inside their house and the mother and father of petitioner also joined them in assaulting the complainant and his companions. The complainant somehow managed to flee from there but his cousins were wrongfully restrained. His cousin Pardeep succumbed to the injuries sustained on his head and had died.

3. After registration of FIR, investigation proceedings were initiated. Post mortem examination of dead body of the victim Pardeep was conducted. The petitioner and co-accused Amit and Ram Mehar were arrested on 22.07.2025. On interrogation, the petitioner suffered disclosure statement admitting his involvement in the crime and got recovered the Bamboo stick used by him. Investigation now stands completed. The petitioner along with

2026.PHHC.061215



the co-accused is facing trial for commission of aforementioned offences.

4. 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 complainant Mangal and eye-witness Rajesh have since been examined and none of them has supported the prosecution version and they have not involved the present petitioner and the co-accused in the commission of the subject offences. He has been in custody since 22.07.2025. The trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody anymore. His antecedents are clean. It is, therefore, argued that the petition deserves to be allowed.

5. *Per contra*, learned State counsel while relying upon the status report, has argued that the allegations against the petitioner are serious in nature. The trial is going on at a proper pace as 11 out of 24 prosecution witnesses have been examined. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

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

7. The petitioner along with the co-accused is alleged to have assaulted the victim Pardeep Kumar and eye-witness Rajesh Kumar. The injury sustained by victim-Pardeep had resulted into his death. However, learned counsel for the petitioner has placed on record Annexures P-2 and P-3, which are copies of sworn depositions recorded by the complainant Mangal

2026.PHHC.061215



and injured Rajesh Kumar before the learned trial Court. A perusal of the same reveals that both of them have stated that the victim-Pardeep and themselves had sustained injuries due to the hitting of their bike with a blue bull. Both of them have not implicated the petitioner and the co-accused in the commission of subject offences. The petitioner has been in custody for a period of about 09 months. Trial is likely to take time to conclude. Taking into consideration the nature of the evidence which has come on record in the form of testimonies of the complainant Mangal and eye-witness Rajesh, the period spent by the petitioner in custody and the attendant facts and circumstances, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned Chief Judicial Magistrate/ Duty Magistrate concerned.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

22nd April, 2026
Parveen Sharma

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