

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:084616



211

CRM-M-15823-2026 (O&M)
Date of decision:27.05.2026

Rinku

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. S.S. Rana, Advocate for the petitioner.

Ms.Himani Arora, DAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”) for grant of regular bail in case arising out of FIR No.707 dated 13.09.2025, registered under Sections 110, 115, 118(2), 126(3), 3(5) & 351(3) of the BNS, at Police Station Sadar Hisar.

2. The aforementioned FIR was registered on the basis of statement recorded by complainant – Som Dutt, alleging therein that on the night of 11.09.2025, he was going towards his house and when he reached in the street near his house, he was intercepted by the petitioner, who was accompanied by the co-accused and was carrying a *gandasi*. The petitioner and his accomplices hurled abuses to him and started extending beatings to him. The petitioner struck a blow with *gandasi* on the head of

the complainant and others struck blows with the same weapon and caused injuries on his thumb. Co-accused also caused injuries with their respective weapons. On clamour being raised, his sons rushed for his rescue and they too sustained injuries at hands of the assailants.

3. After registration of the FIR, investigation proceeding were initiated. Co-accused Vinod and Adarsh were arrested on 18.09.2025. Co-accused Sahil Bagri and petitioner were arrested on 29.09.2025. The petitioner suffered disclosure statement admitting his involvement in the crime and got recovered a knife with wooden handle. Investigation now stands concluded.

4. It is argued by the learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of two days in lodging of the FIR, which has not been explained. The injuries sustained by sons of the complainant have been opined to be simple in nature. Only one out of seven injuries sustained by the complainant has been opined to be grievous in nature. The petitioner is in custody since long. He is not required for further investigation. The trial will take considerable time to conclude. He has clean antecedent. All other co-accused have since been extended benefit of bail. His further incarceration would not serve any useful purpose. 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 taking into consideration the gravity of allegations as levelled against the petitioner, he does not deserve to be extended the benefit of bail.

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

7. The petitioner in connivance with the co-accused is alleged to have voluntarily caused simple as well as grievous injury to the complainant. One of the injuries so sustained by the complainant has been opined to be grievous in nature. The allegations as levelled against the petitioner make out a *prima facie* case for commission of subject offences by him. However, he has been in custody since 29.09.2025. Investigation has been completed. Trial is likely to take considerable time to conclude. No fruitful purpose is going to be served by continued detention of the petitioner. It is well settled proposition of law that bail is a rule and jail is an exception and that pre-trial incarceration should not be a replica of post-conviction sentencing. The object of the jail is to secure appearance of the accused during trial, and it cannot be preventive or punitive. In view of the above discussed facts, 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 as well as surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent-State to seek redressal by filing an application seeking cancellation of bail.

9. It is, however, clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any

manner.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

27.05.2026

harjeet

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No

(MANISHA BATRA)
JUDGE