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

CRM-M No.20887 of 2025 (O&M)

Date of Decision: 24.03.2026

Sumit

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Munish Kumar Garg, Advocate;
Mr. Vikas Mehra, Advocate and
Ms. Sakshi Tanwar, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J. (ORAL)

CRM-15793-2025 and
CRM-149-2026

Both the applications stand allowed as prayed for.

CRM-M-20887-2025

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.64, dated 12.02.2025, under Sections 190, 191(3), 110, 115(2), 351(3), 118(2) of BNS, registered at Police Station City Rohtak, District Rohtak.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Rekha. It was alleged that the complainant's husband, namely, Kapil was doing the



business of dyeing of dupatta at home. It was alleged that brother-in-law of the complainant, namely, Rajendra, expired in 2013 and her husband got married his niece, namely, Urvashi, d/o rajendra to Gaurav. On 10.02.2025, at around 4:05 P.M., Gaurav called her husband and thereafter, at around 07:15 P.M., Gaurav again called him and threatened to kill him. On 11.02.2025, at around 09:30 P.M., her husband was coming back from his shop. She heard loud screams and when she came out, she saw that her husband was being beaten by Gaurav and six other unknown persons. They were carrying wooden sticks and iron *axes* in their hands and hit her husband on head, eyes and feet and thereafter, fled away from the spot. Her husband fell unconscious and their neighbors took her husband to PGIMS, Rohtak. Thus, the request was made to take legal action against the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner surfaced and thus, he was arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 19.02.2025. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Rohtak praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Rohtak dismissed the bail application filed by the petitioner vide order dated 01.04.2025. Hence being aggrieved, the petitioner is before this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended



that the petitioner has been falsely implicated in the present case. He has submitted that as per the case of the prosecution, the petitioner was the part of the unlawful assembly and he has allegedly given the fist blows to the injured, namely, Kapil. He has submitted that the injury constituting the offence under Section 110 of BNS has been attributed to the co-accused, namely, Gaurav. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 19.02.2025 and thus, has completed an incarceration of more than 11 months, however, there is no material progress in the trial. To buttress his arguments, learned counsel for the petitioner has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has submitted that in the facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner was the part of the unlawful assembly. He has submitted that the petitioner has played an active role in the commission of offence. He has submitted that the co-accused has given the stick blow on the eye of the injured and thus, he has lost his eyesight. He, on instructions, has submitted that out of total 30 prosecution witnesses, no witness has been examined so far.

He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest,



i.e. 19.02.2025. The petitioner has been alleged to be the part of unlawful assembly, however, he was empty handed and has been alleged to have given the fist blows to the injured. The main injury to the injured has been attributed to the co-accused. Custody certificate produced would show that the petitioner has suffered an incarceration of 11 months and 26 days as on 16.02.2026. It further reflects that the petitioner is not involved in any other case. Out of total 30 prosecution witnesses, no witness has been examined so far.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

24.03.2026

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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No