



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

225

CRM-M-23085-2026

Date of decision : 30.04.2026

Date of uploading : 30.04.2026

Ram Niwas

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ankur Lal, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Prashant Singh Chauhan, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.393 dated 01.12.2025 under Sections 115, 126, 351(2) & 3(5) of BNS and Sections 109 and 117(2) of BNS added later on, registered at Police Station Khol, Rewari, Haryana.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

"To the S.H.O., Police Station Khol (Rewari): I, Surender Singh, son of late Sedu Ram, resident of village Aliyawas, Police Station Khol, District Rewari, state that on 21/11/2025 at 11:00 PM at night, I was returning after watering crops in my field. Near the canal, Hawa Singh son of Ramniwaas, Kuldeep son of Ramniwaas, Satish son of Ramniwaas, and Ram Niwas son of Jai Lal forcibly stopped me on the road, quarrelled with me, and attacked me with sticks, shovels, and axes. The primary victim received serious injuries on his head, hands, and legs, due to which the victim fell there and became unconscious. When the victim regained consciousness and felt some sensation, when people from home went to see the victim in the morning, the victim was lying seriously injured. At that time, Naveen son of Surender Singh and Shivkumar son of Mahender,



these two had gone to fetch him, and they were also attacked with axes, shovels, and sticks. Both of them also received serious injuries. After that, 112 was called, and 112 arrived at the spot. Legal action should be taken. Victim: Suresh Singh, son of late Sedu Ram, village Aliyawas, Mobile: 9416715024 Police Action: Today a telephone call was received at the station from GH Rewari that Surender son of Sedu Ram, village Aliyawas, was admitted after a fight. On this information, I, SI, reached GH Rewari and obtained:

MLR No. LYR/RWR/1220/25 dated 22.11.2025 for Surender

MLR No. LYR/RWR/1222/25 dated 22/11/25 for Naveen

MLR No. LYR/1221/2025 dated 22/11/2025 for Shiv Kumar

Surender submitted an petition as mentioned above. A counter-petition from the opposing party, Bhateri, wife of Hawa Singh (incorrectly mentioned as Fateh Singh in vernacular FIR), has also been received. After verification of circumstances and X-ray reports, action will be taken accordingly, and upon reaching the station, the above will be recorded in the daily diary.

Signed: Vibhuranjan, ASI, PS Khol, dated 23/11/25

Police Action: Today I, ASI, along with constable Praveen 291/RWR, for verification of report no. 40 dated 23.11.2025 for Surender Singh son of Sedu Ram, resident of village Aliyawas, verified the complaint and MLRS:

MLR No. LYR/RWR/1220/2025 dated 22.11.2025 for Praveen: Doctor recorded total 5 injuries, all 5 caused by blunt objects

MLR No. LYR/RWR/1221/2025 for Shiv Kumar: Doctor recorded total 2 injuries, both caused by blunt objects

After verification of circumstances and results of MLRs, a cognizable offense under sections 115(2), 126(2), 351(2), 3(5) BNS was found to have been committed. The petition is being forwarded for registration of a formal case through constable Praveen No. 291/Rewari to the station. After formal case number, will be informed via note. I, ASI, am proceeding to the crime scene for investigation. Village Aliyawas Signed: Vibhuranjan, ASI 48/RWR, Police Station Khol Dated: 01.12.2025 at 03:20 PM

Station Action: As per the above petition, the above case has been registered in the register and First Information Report has been prepared by computer and will be sent by post to the Magistrate and senior officers. A copy along with the original petition is being sent to the investigating officer for investigation as directed."

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 13.01.2026. Learned counsel has further argued that the petitioner has been falsely implicated in the FIR in question, as there was some dispute between the sons of the petitioner and the complainant side. Learned counsel has further submitted that the petitioner is 73 years old and is not in good health. Learned counsel has further submitted that no specific or clear role has been attributed to the petitioner in causing the injury which has invoked Section 109 of the BNS (erstwhile Section 307 of the IPC). Thus, regular bail is prayed for.



4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 29.04.2026 in Court, which is taken on record.

4.1. Learned counsel for the complainant has vehemently opposed the grant of regular bail to the petitioner by arguing that the allegations raised against the petitioner are direct/serious in nature. Learned counsel has further submitted that the petitioner was earlier declared a proclaimed offender and there is all the likelihood that he may flee from the process of justice, in case he is accorded regular bail. Learned counsel has further submitted that there is accentuated threat perception to the complainant side in case the petitioner is released on bail.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 13.01.2026 wherein after investigation was carried out and challan stands presented on 09.04.2026. Total 12 prosecution witnesses have been cited but none has been examined till date. It is not in dispute before this Court that the petitioner is a 73-year-old man. It is further not in dispute that the injured has been discharged from medical treatment long ago. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of



justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 29.04.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 3 months and 17 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of

opinion on the merits of the case.

11. Pending application(s), if any, shall also stand disposed of.

30.04.2026

jatin

(SUMEET GOEL)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No