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(115)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-55753-2025

Date of Decision: 27.02.2026

PARVEEN

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Dinesh Arora, Advocate with
Ms. Mehak Ghangas, Advocate
for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

Mr. R.S. Dhull, Advocate
for the complainant.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 of BNSS, 2023 is for the grant of regular bail in case bearing FIR No.147 dated 14.04.2025 registered under Sections 103(2), 115, 190, 191(2), 351(3) of BNS at Police Station Sadar Sonapat.

2. The present FIR came to be registered at the instance of Sunita W/o Ramesh and the same reads as under:-

“To, SHO, Police Station Sadar, Sonipat, Respected Sir, It is submitted that I, Sunita W/o Ramesh, resident of Kami, state that today dated 13/04/2025 at about 5:00 PM two boys namely Naveen S/o Dharambir and Ajay S/o Subhash, residents of Kami, both came to my house on our bike Splendor. Ajay was driving the bike, in the middle my son Ankit S/o Ramesh was made to sit, and at the back



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Naveen S/o Dharambir was sitting. They came outside my house and dropped my son Ankit down from the bike and while abusing me said, "We have killed him, if you complain to the police we will also kill you." When I tried to pick up my son, he was in a dead condition. Then I and my elder brother-in-law's son Sandeep S/o Azad Singh inquired in the village on our own and came to know that in the baithak of Naveen S/o Dharambir's he was beaten by: Praveen S/o Dharambir, Naveen S/o Dharambir, Ajay S/o Subhash, Tanuj S/o Sandeep, Dipanshu S/o Kala, Monu S/o Bednama, Yogesh S/o Subhash, Sunny S/o Prathipal, Lokesh and Sahil, residents of Chapra (Gohana). They all inflicted injuries upon my son Ankit due to which my son died. Kindly take legal action against the above accused persons. This application I have got written by Mohit S/o Banveen Singh and submitted to you. Sd/- Sunita, Sunita W/o Ramesh, Resident of Kami, Mobile: 8010559999, Dated: 13/04/2025."

3. The learned counsel for the petitioner contends that the occurrence took place in the house of the petitioner itself even as per the prosecution case as he is the real brother of the main accused Naveen. However, as he is 60% handicapped, it is highly unlikely that he was able to inflict injuries upon the person of the deceased or the injured. As he is in custody since 14.04.2025 but none of the 20 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. A verification report dated 25.02.2026 by way of an affidavit of Malkeet Singh, HPS, Asstt. Commissioner of Police, Sonipat has been filed on behalf of the State by the learned counsel for the State. The same is taken on record. While referring to the reply, he along with the learned counsel for



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the complainant contend that though the petitioner is handicapped to the extent of 60% as per the Certificate dated 30.05.2022 (Annexure P-5) which has been verified to be correct, the nature of his handicap is not such that he could not inflict injuries upon the deceased. Therefore, he is as liable as the other accused. They, however, concede that the petitioner is in custody since 14.04.2025 but none of the 20 of the prosecution witnesses has been examined so far.

5. I have heard the learned counsel for the parties.

6. Admittedly, the petitioner is handicapped to the extent of 60% which fact has been duly verified by the State. It would be a moot point during the course of the Trial as to whether he was able to inflict injuries on the person of the deceased and the injured. He is stated to be in custody since 14.04.2025 but none of the 20 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Parveen S/o Dharambir is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

27.02.2026

JITESH

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