



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

241

CRM-M-58707-2025 (O&M)

Date of decision : 09.02.2026

Anil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Pradeep Bhardwaj, Advocate for
Mr. Rohit Mittal, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Sandeep Singh Sangwan, Advocate
for the complainant.

MANISHA BATRA, J. (Oral)

1. 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. 299 dated 26.12.2024 registered under Sections 109(1), 115, 118(1), 3(5) and 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 115(2) and 117(2) of BNS added and Section 115 of BNS deleted later on) at Police Station Badhra, District Charkhi Dadri.
2. As per the allegations on the evening of 25.12.2024, the complainant Surender was going from village Badrai to village Kadma side



in his alto car and when he reached near the shop of Mir Singh, his vehicle had lost balance and had hit a tree. When he alighted from the car, he was intercepted by co-accused Bhateri and her two sons namely Jitender and Anil (petitioner), who proclaimed that he was caught in their web on that day. He was already having a land dispute with the petitioner and his family. All three of them tried to pull him towards their house, but the complainant managed to save himself and rushed towards the house of Satya Narayan. The petitioner and the co-accused had reached there also. They were armed with weapons. They opened an assault upon the complainant with intent to kill him. In the meanwhile, the family members of the complainant reached there, but they too sustained injuries at the hands of the petitioner and co-accused, and thereafter they fled while proclaiming that they would kill them on finding appropriate opportunity. The phone of the complainant had also gone missing. On the basis of the statement recorded by the complainant Surender, the aforementioned FIR was registered. Investigation proceedings were initiated. The petitioner and the co-accused were arrested on 26.12.2024. They were interrogated and suffered disclosure statements admitting their involvement in the subject crime. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The ocular version of the complainant and his family members with regard to the seat of the injuries as sustained by them at the hands of the petitioner and co-accused is contradictory to the injuries as mentioned in the medico legal report. No injury which could be opined to be dangerous to life has been sustained by either of them. Eyewitness has not



supported the prosecution version and turned hostile. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. His involvement in one more case cannot be considered to be a reason for denying benefit of bail to him. Similarly situated co-accused Bhateri has been granted concession of bail. On parity, the petitioner too deserves to be given the same benefit. Hence, it is argued that the petition deserves to be allowed.

4. Status report has been filed. Learned State counsel, assisted by learned counsel for the complainant, has vehemently argued that the allegations against the petitioner are quite serious in nature. One of the injuries found on the person of injured Ashok has been opined to be dangerous to life. Injuries found on the person of Surender and Harpyari have also been opined to be grievous in nature. He is involved in one more case. There are chances of his committing similar offences, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions.

6. The petitioner along with the co-accused is alleged to have opened an assault upon the complainant and his family members and caused injuries to them. Injuries sustained by one of the victim namely Ashok, have been opined to be dangerous to life. Though the allegations levelled against the petitioner make out a prima facie case against him for commission of subject offences, however, he is in custody since 26.12.2024. Investigation stands completed and challan has been filed. Trial will take considerable time to conclude. Co-accused Bhateri has already been granted concession of

regular bail by this Court. No useful purpose is going to be served by keeping the petitioner in custody anymore. It is well-settled proposition of law that the bail is the rule and jail is an exception. Keeping in view the above discussed facts but without meaning to make any comment upon the merits of the case, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

[MANISHA BATRA]
JUDGE

09.02.2026
Waseem Ansari

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No