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

CRM-M-61042-2025

Date of decision : 22.01.2026

Naveen @ Naveen Kumar

....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Vishal Garg Narwana, Advocate
Mr. Arshdeep Mradd, Advocate
Mr. Khushwant Saharan, Advocate and
Ms. Aashima Jindal, Advocate for the petitioner.

Mr. Tanuj Sharma, A.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed by the petitioner praying for grant of regular bail in case FIR No.108 dated 16.03.2025, under Sections 115, 126, 351(3) of BNS (Sections 109(1), 118(2), 238(b), 305 of BNS added lateron in challan), registered at Police Station City Narnaul, Mahendergarh.

2. Succinctly, the facts of the present case are that the FIR in question was registered on the statement of the complainant, namely, Ajay Kumar Gupta. It was alleged that on 14.03.2025 at about 11:00 pm, his brother-in-law, namely, Manoj Gupta informed him that Naveen Kumar had waylaid his brother, namely, Neeraj Gupta and had beaten his brother with sticks at Jagdish Petrol Pump. It was informed that Neeraj was admitted in Government Hospital, Narnaul. On hearing, the complainant



went to the hospital and saw Neeraj Gupta having been suffered multiple injuries on his head, eyes, hands, legs etc. He shifted his brother to Safdarjung Hospital, Delhi for treatment. Thus, request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During investigation, the petitioner was arrested on 15.05.2025. The victim was medico legally examined. On completion of investigation, challan was presented and on framing of charges, the trial commenced. The petitioner approached the learned Additional Sessions Judge, Narnaul, for grant of bail, however, after hearing both the sides, the said relief was declined to him by the trial Court vide order dated 15.10.2025. Being aggrieved, the petitioner earlier approached this Court by way of filing of CRM-M-34563-2025, however, the same was dismissed as withdrawn. Hence, the petitioner is before this Court by way of filing the present second petition for grant of concession of regular bail.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He submits that the FIR has been lodged on the statement of complainant Ajay Kumar Gupta, who is not an eye-witness. He submits that a road side accident has been given a colour of a grave offence. To buttress his arguments, he has submitted that injured-Neeraj has been examined before the trial Court as PW-2 and he has not supported the case of the prosecution and thus, has been declared hostile. He submits that the petitioner was implicated in a petty of offence, however, he is on bail in the same. He submits that the petitioner is behind bars from last about 08 months and the material witnesses already stand examined. It is submitted thus that in the overall facts and circumstances, the petitioner deserves to be granted bail.



4. Learned State counsel, however, has opposed the submissions made on behalf of the petitioner and submits that the victim in his first examination-in-chief has supported the case of the prosecution, however, thereafter, he has changed his version. He submits that the whole testimony of hostile witness cannot be discarded and the relevant portion can always be relied upon. It is submitted that the complainant has supported the case of the prosecution who has been examined as PW-1 before the trial Court. He, on instructions, has submitted that out of total 20 prosecution witnesses, only 03 witness have been examined so far. He has produced on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that complainant in the present case is one Ajay Kumar Gupta, who has been examined as PW-1. Though, FIR was lodged on his statement, however, he was informed about the occurrence by his brother-in-law. The victim in the present case has been examined as PW-2 and he has not supported the case of the prosecution. The custody certificate produced would show that the petitioner has suffered an incarceration of 07 months and 26 days as on 20.01.2026. It further reflects that the petitioner is involved in one more case.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned Senior counsel for the petitioner succeeds in making out a case for the grant of bail to the petitioner. Accordingly, present petition is allowed and



petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

8. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

22.01.2026
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(RAJESH BHARDWAJ)
JUDGE

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