



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

152

CRM-M-64992-2025 (O&M)

Date of decision: 05.03.2026

Prashant

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Ms. Vibhuti Manchanda, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. This first petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.128 dated 29.08.2025, registered under Section(s) 109 of the Bharatiya Nyaya Sanhita, 2023 at Police Station Alewa, District Jind.

2. Learned counsel for the petitioner contends that as per the allegations levelled in the FIR, the complainant was sitting in the medical store of his uncle-Praveen on 28.08.2025 at about 11.00 a.m. when the petitioner is alleged to have entered the shop armed with an Axe (*Kulhari*) and given an Axe blow on the chest of the complainant with an intention to kill him. She contends that when the petitioner again attempted to strike with the axe, the complainant as well as his uncle caught the petitioner herein.

3. Learned counsel appearing on behalf of the petitioner contends that offence under Section 109 of the Bharatiya Nyaya Sanhita, 2023 has

been attributed as a result of the intention as alleged in the FIR whereas the MLR categorises the injury as “simple blunt injury” which is not sufficient to attract Section 109 of the Bharatiya Nyaya Sanhita, 2023. She further contends that the petitioner has been in custody since 06.09.2025 and has undergone an actual custody of nearly 06 months. She contends that the petitioner is not involved in any other criminal case.

4. Learned counsel for respondent-State, on the other hand, contends that the attribution against the petitioner is that he gave an axe blow aiming at the head, however, the complainant saved himself by moving back as a result whereof the blow fell on the chest area. She however does not dispute that it is a blunt simple injury as per MLR. The period of custody as well as the clean antecedents of the petitioner are not disputed. It is also not disputed that the charges are yet to be framed and total 10 prosecution witnesses, are also to be examined.

5. Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone by the petitioner, his clean antecedents coupled with the fact that arguable issues with respect to offence under Section 109 of the Bharatiya Nyaya Sanhita, 2023 being made out or not, the nature of injury being categorized as simple blunt, young age of the petitioner i.e. 25 years and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

6. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

05.03.2026

Mangal Singh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(VINOD S. BHARDWAJ)
JUDGE