



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

135

CRM-M-65953-2025
Date of decision: 17.03.2026

UMED SINGH

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondents

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

Present: - Mr. Naveen Kundu, Advocate for the petitioner.
(Through Video Conferencing).

Ms. Chhavi Sharma, Asstt. A.G. Haryana.

Mr. Pawan Kumar Hooda, Advocate and
Mr. Ankit Kumar, Advocate and
Ms. Manya Anand, Advocate for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 92 dated 13.05.2025, registered under Section(s) 115, 126, 351(3) and 3(5) of BNS, 2023 (Section 109(1), 117(2) added later on) at Police Station Sanoli, Panipat.

2. Brief facts of the case are that on 09.05.2025, one ruqa was received from Government Hospital, Panipat, to the effect that the Jora Singh, resident of village Dhansoli, Panipat, had been admitted to the

hospital after sustaining injuries. The statement of Rajesh Kumari, wife of Jora Singh was recorded to the effect that on 09.05.2025, she along with her husband was going to their fields on the motorcycle. Umed son of Prithvi, resident of village Dhansoli has parked his tractor on the way to their fields, blocking the path. They requested him to move the tractor aside from the way which resulted in an altercation between them. It was alleged that Umed was drunk, but they proceeded to their fields. However, when they returned the said Umed had called his sons namely Sachin, Manoj and Abhimanyu at the spot and all of them were armed with lathi and danda. The complainant stated that the accused persons restrained them and Sachin inflicted lathi blow on the head of her husband upon which he fell down. Thereafter, all of them started inflicting injuries to her as well as to her husband with lathi and danda and threatened to kill them. It was stated by the complainant that as a result of the beatings, her husband became unconscious and considering him dead, the assailants fled from the spot. In view thereof, she prayed that strict legal action be taken against the accused persons.

3. Learned Counsel appearing on behalf of the petitioner contends that the offence under Section 109 of BNS, 2023 is not made out in the present case and that even though offence under Section 117 (2) has been attracted, however, the same is only on account of the prolonged hospitalization. It is contended that the petitioner is in custody since 16.06.2025 and has already undergone an actual custody of 09 months. The investigation in the case is complete and final report already stands filed. There are 14 witnesses cited by the prosecution but none has been examined so far. He further contends that the fight took place on account of a dispute over access to the fields and the petitioner having parked his vehicle on the

road and blocking the same, thus, restraining the access to the complainant. Hence, it was not a premeditated offence. It is further contended that Manoj & Abhimanyu, two of the four accused originally named in the FIR were found innocent during the investigation which shows that it is a case of clear false implication as well.

4. Learned State Counsel as well as Counsel for the complainant contend that the incident in question cannot be said to be emanating from a sudden fight. In fact, the parties left for the respective course after the initial altercation in the morning but thereafter, when the complainant and her husband were coming back, the petitioner along with other co-accused gave beatings to them. The same was thus a pre-planned attack. He further contends that Zora Singh sustained as many as 08 injuries while Rajesh Kumari sustained 06 injuries. Counsel submits that 03 of the said injuries were opined to be grievous in nature while 01 injury i.e. injury No.7 *“multiple bruises over back, upper abdomen, right & left thighs, largest 5x3 cm, smallest 3x2 cm”* was opined to be dangerous to life and thus, attracted the offence under Section 109. They, however, do not dispute the period of custody undergone by the petitioner & the stage of trial.

5. I have heard learned counsel appearing on behalf of the respective parties.

6. Without commenting on the merits of the case and taking into consideration the following: a) age of the petitioner-50 years; b) the injuries not resulting in any fracture and having been declared as grievous in nature only on the basis of prolonged hospitalization undergone by the victims; c) the circumstances in which the incident in question took place; d) period of custody already undergone by the petitioner; e) the stage of the trial where

evidence is yet to commence, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

9. 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.

MARCH 17, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No