

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:014813



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CRM-M-66496-2025 (O&M)
Date of decision:02.02.2026

Neeraj

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Baljeet Beniwal, Advocate and
Mr. Pritpal Beniwal, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. Instant petition has been filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.78, dated 16.04.2025, registered under Sections 190, 191(3), 115, 351(2) of the BNS (offences under Sections 333, 109, 309(6), 61(2), 238 of the BNS and Section 192 of the M.V. Act were added lateron), at Police Station Sadar, District Palwal.

2. The aforementioned FIR was registered on the basis of written complaint submitted by complainant – Tejram on 16.04.2025, alleging therein that on the same noon, his nephew Krishna was sitting in his grocery shop, when accused Ajay, Deepak @ Jhabru, Naresh along with two other persons reached there and demanded goods. Krishna asked

them for clearing their previous outstanding dues first, upon which, they started hurling abuses and assaulting him. Accused Ajay struck blow with an iron rod on the head of Krishna whereas Naresh gave a *lathi* blow on his head and remaining accused also gave him kicks and fist blows. Thereafter, they took away an amount of Rs.7350/- kept in the chest of his shop, the cell phone of the victim and then had fled from the spot, while extending threats. By alleging that the entire incident had been recorded in the CCTV camera installed in the premises, he prayed for taking action in the matter.

3. After registration of the FIR, investigation proceedings were initiated. The victim was medically examined. Offence under Section 109 of the BNS was added subsequently as one of the injuries found on the person of the victim was opined to be dangerous to life. The present petitioner was identified as one of the assailants in the CCTV footage. As such, he was nominated as accused. Co-accused were arrested and in their disclosure statement, they also took the name of the present petitioner. The petitioner was arrested on 08.05.2025. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement suffered by co-accused, which cannot be considered to be admissible in evidence. He was not named in the FIR. No specific act has been attributed to him. He is not required for further investigation. The trial will take considerable time to conclude. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. It

is, therefore, argued that he deserves to be extended the benefit of bail.

5. Status report and custody certificate have been filed. Learned State counsel has vehemently argued that there are serious allegations against the petitioner. The petitioner by forming membership of an unlawful assembly with the co-accused had voluntarily caused simple as well as grievous injuries to the victim and robbed him of his cell phone and money. One of such injuries has been opined to be dangerous to life. The complainant and victim are yet to be examined. There are chances of the petitioner's intimidating them, or committing similar offences, if extended benefit of bail as he is a habitual offender being involved in 14 more cases. It is, therefore, stressed that the petitioner does not deserve to be extended the benefit of bail.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner by forming membership of an unlawful assembly with the co-accused is alleged to have assaulted the victim and robbed him of his money. The allegations make out a *prima facie* case for commission of the subject offences. However, now he is in custody for a period of about 09 months. The trial will take considerable time to conclude as no prosecution witness has been examined so far. As such, continued detention of the petitioner would not serve any useful purpose. Undoubtedly, he is stated to be involved in several other cases but he cannot be denied benefit of bail due to this reason. Taking into consideration the above discussed facts, this Court is of the considered opinion that a case is made out for grant of bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal as well as surety bonds to the extent of two sureties in the like amount each, to the satisfaction of the learned trial Court, and subject to the condition that he shall not try to contact with the complainant and victim or other material witnesses and shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing except when his presence has been exempted by the trial Court. He shall surrender his passport, if any, furnish details of his cell phone and Aadhar card, and shall not change his mobile number(s) during the pendency of the trial.

8. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

02.02.2026*harjeet***(MANISHA BATRA)
JUDGE**

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