



CRM-M-67545-2025

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

Sr. No.113

CRM-M-67545-2025
Date of Decision: 06.03.2026

SAHIL

...Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Rakesh Kumar Lathwal, Advocate
for the petitioner.

Mr. Sushil Bhardwaj, Addl. A.G. Haryana and
Ms. Jasmine Gill, AAG, Haryana.

MANDEEP PANNU, J. (Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No. 279 dated 27.07.2025, registered under Sections 115, 126, 281, 3(5), 324(4), 351(3) of the Bharatiya Nyaya Sanhita, 2023 at Police Station Barauda, District Sonipat (Haryana). The final report has been submitted under Sections 109, 115(2), 117(2), 126(2), 281, 324(4), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Briefly stated, the case of the prosecution is that the complainant Rajbir alleged that on 27.07.2025 at about 7:00 AM, while he was going to his agricultural fields on his motorcycle via Kathura road, a Santro car bearing registration No. HR-12-S-2148 came from the opposite side at a high speed and collided with his motorcycle, due to which he fell down and sustained injuries. It is further alleged that three young boys came



out of the said vehicle and assaulted the complainant with wooden sticks and also threatened him with dire consequences. One of the assailants was identified as Sachin son of Rajbir, whereas the other two could not be identified at that time. On hearing the noise, persons from the nearby fields gathered at the spot and the assailants fled away. The complainant was thereafter taken by his family members to PGI Rohtak for treatment. It is further the case of the prosecution that initially only a case of simple injuries caused due to rash and negligent driving was registered against the accused persons. However, later on Section 109 of the Bharatiya Nyaya Sanhita, 2023 was added in the present case on the basis of a supplementary statement made by the complainant.

3. Learned counsel for the petitioner has argued that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that the petitioner has not been named in the FIR and the FIR was initially registered against the main accused namely Sachin alias Rohki, who is already in custody. Learned counsel further submits that as per the allegations, co-accused Sachin allegedly suffered a disclosure statement before the police, on the basis of which the present petitioner was apprehended on 11.09.2025. It is further alleged that the petitioner also suffered a disclosure statement, pursuant to which a wooden stick (danda), allegedly used in the occurrence, was recovered and taken into possession by the police. Learned counsel has further argued that none of the injuries sustained by the complainant has been declared to be dangerous to life so as to attract the offence under Section 307 IPC / Section 109 of the Bharatiya Nyaya Sanhita, 2023. It is also contended that no specific injury has been



attributed to the petitioner and there are only general allegations that all the accused persons were carrying wooden sticks. It is further argued that the remaining offences alleged against the petitioner are bailable in nature. Learned counsel has also submitted that initially the FIR was registered only for simple injuries and rash and negligent act, however later on the offence under Section 307 IPC / Section 109 BNS was added on the basis of a supplementary statement of the complainant.

4. Learned State counsel, on the other hand, has opposed the present petition and argued that in the present case the offence under Section 109 of the Bharatiya Nyaya Sanhita, 2023 / Section 307 IPC has been added subsequently, which is a serious offence. It is submitted that although none of the injuries has been declared to be dangerous to life, however there are allegations that the petitioner along with his co-accused caused injuries to the complainant with an intention to kill him. It is further argued that material witnesses are yet to be examined in the present case and in case the petitioner is released on bail, he may influence or pressurize the prosecution witnesses. Therefore, prayer has been made for dismissal of the present bail petition.

5. I have heard learned counsel for the parties and have gone through the record of the case. In the present case, initially the FIR was registered with regard to a case of rash and negligent act wherein simple injuries were attributed to the accused persons. However, subsequently on the basis of a supplementary statement made by the complainant alleging that the injuries were caused with an intention to kill him, the offence under Section 307 IPC / Section 109 of the Bharatiya Nyaya Sanhita, 2023 came to



be added. It is also a matter of record that the present petitioner was not named in the FIR and his name surfaced only in the disclosure statement allegedly made by the main accused Sachin alias Rohki. On the basis of the said disclosure statement, the petitioner was apprehended on 11.09.2025 and it is alleged that pursuant to the disclosure statement suffered by the petitioner, a wooden stick (danda), stated to have been used in the occurrence, was recovered. The petitioner is in custody for the last about five months and twenty four days and the trial of the case is likely to take some time to conclude. The main accused has already been apprehended. Keeping in view the role attributed to the petitioner, the nature of allegations and the period of custody already undergone by him, this Court deems it appropriate to allow the present petition.

6. Consequently, the present petition is allowed and the petitioner Sahil is ordered to be released on regular bail during the pendency of trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Illaqa Magistrate concerned.

7. However, nothing observed herein shall be construed as an expression of opinion on the merits of the case.

8. All pending applications, if any, also stand disposed of.

06.03.2026
Anu

(MANDEEP PANNU)
JUDGE

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