



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-67494-2025 (O&M)
Decided on : 06.03.2026

SADDIKPetitioner
Versus
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Khalid Tauru, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

Ms. Apurva Walia, Advocate,
for the complainant.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Saddik, aged about 59 years	332	14.11.2024	191(3), 190, 115(2), 351(3), 109 of BNS and 25-54-59 of Arms Act	Sadar Tauru	Nuh

2. Learned counsel for the petitioner contends that with regard to the alleged incident which took place on 13.11.2024 at about 3:30



P.M., FIR in the present case was registered at the instance of complainant, namely Ikraj, on account of a fight that had occurred amongst the children. FIR was lodged against more than 18 accused persons, namely: (1) Saddiq, (2) Taufiq, (3) Wakib, (4) Wajji, (5) Sabbir, (6) Saikul, (7) Akat, (8) Kallu, (9) Abid, (10) Sorab, (11) Annu, (12) Ajmal, (13) Nafees, (14) Aarif, (15) Hajra, (16) Arseeda, (17) Sameena, (18) Anisa, along with 10–12 other residents of Village Rahdi, Police Station Sadar Tauru, District Nuh.

It is further submitted that there are total eight injured persons in the present case, out of whom four have suffered head injuries. As per the allegations in the FIR, all the accused persons allegedly came together armed with sticks, axes and firearms. However, without attributing specific injuries to each of the accused, it has been mentioned in the FIR that accused Akat fired a shot at the complainant, hitting him on the chest and leg, with an intention to kill him.

3. Learned counsel further submits that, as per the role attributed to the present petitioner, he is alleged to have given a blow with a *danda* to the complainant party. However, neither the specific name of the injured person nor the particular part of the body, on which the alleged injury was inflicted, has been mentioned in the FIR.

4. In order to substantiate the prayer for grant of bail to the petitioner, learned counsel has referred to the zimni order dated 28.03.2025, also whereby charges were framed. It is submitted that despite issuance of both bailable and non-bailable warrants, none of the



prosecution witnesses ever appeared before the trial Court to depose against the petitioner.

It is, thus, contended that ample opportunities have already been granted for a period of more than eleven months, yet prosecution witnesses have deliberately failed to appear, without any justifiable reason, resulting in the prolonged incarceration of the petitioner in custody.

5. Learned counsel further submits that there are total 21 prosecution witnesses cited in the present case, however, none of them has been examined, till date. Consequently, conclusion of the trial is likely to take a considerable amount of time. Thus, learned counsel prays for grant of regular bail to the petitioner in the present case.

6. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 05.03.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 year 02 months and 15 days period inside jail.

7. Learned State counsel as well as counsel for the complainant are unable to dispute any of the factual assertion as stated by counsel for the petitioner today before this Court. However, they jointly pray for dismissal of the present petition.

8. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.



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9. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, including the period of incarceration already undergone by the petitioner and stage of trial, this Court deems it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

06.03.2026

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO