



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

226

CRM-M-70434-2025 (O&M)

Date of decision: 20.01.2026

Akhtar

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

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

Present :- Ms. Shweta Bawa, Advocate for
Mr. Balraj Gujjar, Advocate for the petitioner(s).

Ms. Aditi Girdhar, AAG Haryana.

Mr. Sanyam Khetarpal, Advocate for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

1. This first petition under Section 483 BNSS, 2023 has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.179 dated 08.06.2024, registered under Section(s) 148, 149, 323, 324, 341, 506 (Sections 302, 326 added later on) of the Indian Penal Code, 1860 at Police Station Hathin, Palwal, District Palwal.

2. The FIR in the present case was registered on the complaint of Rahees son of Issu. The same reads thus:-

“Sir, I applicant Rahees son of Issu, resident of Village Kukarchati, Police station Hathin, District Palwal request that today on 07-06-2024 at about 10:30/11 A.M., my nephew Afjal son of Azam, resident of Kukarchati, Sabbir son of Suleman were getting treatment of their mother-in-law at Palwal and



they were going Hathin to [C.S.C.](#) Centre for withdrawing money. Then on the way, Akhtar, Ilyas sons of Umed, Ajru-Sahid-Rijwan-Hamid-Abid-Aamir sons of Akhtar, Salim son of Kasam, Kamru-Aakil son of Ilyas, Asgar son of Umed and their three-four relatives encircled Afjal in front of their house due to old enmity and started giving beatings to him. Salim gave farsa blow on the head of Afjal, Ajru gave lathi blow on his face, Sahid gave but blow of country made pistol and on hearing noise of fight, my brother Barkat, Hakamuddin, Umar Mohammad, Wali Mohd came there and we tried to save Afjal. Then accused persons also gave beatings to us: On my seeing, Hamid gave lathi blow on my head and Kamru gave lathi hlow on the lead of Barkat and Asgar gave lathi blow at Barkat and gave a gid blow at Barkat and Akhtar gave farsa blow on bead and Illyas gave lathi blow at Hakamuddin, Rijwan gave lathi blow on right leg of Hakamuddin, Abid gave danda blow at Umar Mohammad which hit on his thumb of right hand and Abid gave lathi blow on right leg of Umar Mohd and Akhtar gave farsa blow on the head of Wali Mohammad and Sahid gave batt blow of county made pistol on right shoulder and Akil gave lathi blow on backside of head of Wali Mohd. when we raised alarm, then Sahid and Salim looted Rs.42,000/- form the pocket of Afjal and one mobile phone, Sahid is notorious person and many case under the provisions of loot are registered



against him and on hearing noise of above mentioned quarrel, Kareema son of Makhmodt, Idrees son of Kareema, Taleem son of Issu residents of Kukarchati, Mubarik son of Maula, residents of Village Guraksar came there and rescued us from above mentioned accused persons and accused persons while going threats to kill that today we saved, in future they will kill on getting chance or send us behind the jail by falsely implicating in any serious cases. Hence, It is requested that legal action may kindly be taken against the above mentioned accused persons. Thanking you.”

3. Learned counsel for the petitioner contends that the petitioner has not been attributed any injury on the person of deceased/Afjal and attribution against him is of having caused injury to the eye witnesses/Barkat and Wali Mohd. It is submitted that similar allegations of causing injuries were also attributed to co-accused/Asgar, who has already been granted the concession of regular bail by this Court vide order dated 05.12.2025 passed in CRM-M-67560-2025. It is further submitted that even though, an axe has been recovered from the petitioner, yet, the injuries on the person of the eye witnesses are by a blunt weapon. She contends that out of total of 33 witnesses cited by the prosecution, only 01 has been examined so far. She further contends that the petitioner is not involved in any other criminal case.
4. At this stage, Mr. Sanyam Khetarpal, Advocate enters appearance and files memorandum of appearance on behalf of the complainant in the Court today and the same is taken on record.



5. Per Contra, Learned counsel for respondent-State and counsel appearing on behalf of the complainant contend that the recovery of axe has been effected from the petitioner and he has actively participated in the commission of offence. They further contend that while co-accused/Asgar has been attributed simple injuries, the petitioner has been attributed a grievous injury. They however do not dispute that the said injuries were on the person of the witnesses and not on the person of the deceased. It is also not disputed that the petitioner is not involved in any other criminal case. There is no other point of distinction between the petitioner as well as co-accused/Asgar to whom the concession of regular bail has been granted by this Court vide order dated 05.12.2025 passed in CRM-M-67560-2025.

6. Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone by the petitioner, no attribution of any injury on the person of the deceased, the stage of the trial wherein only 01 out of the total 33 prosecution witnesses has been examined so far, considering the role attributed to the petitioner would be at par with co-accused/Asgar 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.

7. 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/Illaqa Magistrate concerned.

8. 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.

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.

(VINOD S. BHARDWAJ)
JUDGE

20.01.2026

Mangal Singh

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