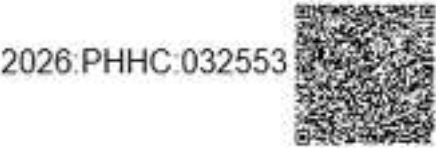


IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH



CRM-M-73754-2025 (O&M)

Vikas...Petitioner

Versus

State of Haryana...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	26.02.2026
2	The date when the judgment is pronounced	27.02.2026
3	The date when the judgment is uploaded on the website	27.02.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Dr. Abhay Gupta, Advocate with
Mr. Anshul Muwal, Advocate for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) by the petitioner seeking grant of regular bail in case bearing FIR No. 168 dated 29.05.2025, registered under Sections 115, 118(1), 126, 190, 191(2), 191(3) of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) (Sections 109(1), 117(2),

118(2) and 351(2) of BNS added later on) at Police Station Narwana Sadar, District Jind.

2. As per the allegations, on 28.05.2025, victim Raman was intercepted by accused Dayanand and Govind who had hurled abuses to him. He went back to his house and informed about this fact to his father Sube Singh i.e. the complainant, who had pacified him. While he was going for his work he was intercepted by the above named persons along with the co-accused who opened an attack upon him and caused several injuries to his son with their respective weapons while making exhortation. When the complainant and his wife rushed for rescue of their son, they too sustained injuries at the hands of the petitioner and the co-accused. They were rushed to the hospital. On the statement of the complainant-Sube Singh, initially a case under Sections 115, 118(1), 126, 190, 191(2) and 191(3) of BNS was registered. Subsequently offences under Sections 109(1), 117(2), 118(2) and 351(2) were added. The statement of Govind son of the complainant, who too sustained injuries was also recorded on 02.06.2025 on the basis of which, some other persons were also nominated in this case. The name of the petitioner surfaced in this case on the basis of the CCTV footage of the incident, wherein he was seen carrying a wooden stick in his hand and was inflicting injuries upon victim Raman. He was arrested on 03.06.2025. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No specific injury has been attributed to him. Even no recovery has been effected from him. He is in custody since 03.06.2025. He is not required for further investigation. It is a case of version

and cross-version as members of the accused party had also sustained injuries at the hands of members of the complainant party. A complaint was moved by one of the accused namely Ravinder but no action was taken against the complainant party. Investigation has since been completed and challan has been filed. The trial will take considerable time to conclude since even charges have not been framed. Co-accused Gurbaksh, Naresh and Rahul have already been granted concession of regular bail by this Court. On parity, the petitioner too deserves to be granted the same benefit. It is, therefore, stressed that the petition deserves to be allowed.

4. Status report and custody certificate have been filed. Learned State counsel, assisted by learned counsel for the complainant, has vehemently argued that keeping in view the gravity of the allegations as levelled against the petitioner and the fact that as many as 09 persons had sustained injuries in the incident and the petitioner was one of the active participant of the unlawful assembly along with the co-accused, he does not deserve to be released on bail.

5. This Court has heard the rival submissions.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object, thereof is alleged to have voluntarily caused simple as well as grievous injuries to 09 persons. However, no specific injury has been attributed to him. Even no recovery is shown to have been effected from him. Though some screenshots of the CCTV footage of incident have been placed on record showing that the petitioner, while carrying a wooden stick in his hand, was inflicting injuries on the victim, however, authenticity of the same can be

tested only during the course of trial after appreciating the entire evidence placed on record. The trial is likely to take considerable time since even charges have not been framed so far. It is a case of version and cross-version. As per the claim of the petitioner, injuries were also sustained by the members of his party at the time of incident. Above named co-accused have already been granted concession of regular bail by this Court. The principle of parity also weighs in favour of the petitioner. Further incarceration of the petitioner would not serve any fruitful purpose. It is well settled proposition of law that bail is the rule and jail is an exception. Even otherwise pre-trial incarceration should not be a replica of post-conviction sentencing. Taking into consideration the above discussed facts but without meaning to make any comments on the merits of the case lest the same prejudice either of the parties, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing personal and surety bonds to the extent of two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned and on the following conditions:-

- (i) The petitioner shall not try to contact either of the injured persons or witnesses or any material witnesses or shall not try to threaten, induce or promise to any person acquainted with the facts of the case in any manner whatsoever.
- (ii) The petitioner shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) The petitioner shall appear before each and every date of hearing.
- (iv) The petitioner shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.

- (v) The petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.
- (vi) The petitioner shall surrender his passport, if any, furnish details of his cell phone and Aadhaar card, and shall not change his mobile number(s) during the pendency of the trial.

7. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.
8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

27.02.2026

Waseem Ansari

(MANISHA BATRA)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No