



247 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22476-2025

Date of Decision:14.07.2025

Kartik ...Petitioner
vs.
State of Haryana ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Shiv Kumar Rana, Advocate with
Ms. Priya Parmar Rana, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.32 dated 06.02.2025 registered under Sections 191(2), 191(3), 190, 115(2), 126(2), 118(1), 109(1), 351(3) of BNS, at Police Station Industrial Area, Bhiwani, District Bhiwani.

2. The FIR in the present case has been registered on the basis of the statement of Nitin Kumar son of Narender Singh and the same has been reproduced below:-

“To, SHO Sahab, Police Station Industrial Bhiwani, Sir, it is requested that I am Nitin Kumar S/o Narender Singh, resident of Dohki Dadri and a student of M.Sc (C.S.) in Vaish College. Today on 06.02.2025, after completing my studies, at around 2 o'clock I came to the new bus stand to go to my home, when Manish S/o Pappan, resident of old bus stand and Alok resident of Dabur Colony and Anil S/o Pratap, resident of Surpura

Kalan and four five others were with them and blocking my way, they attacked me with knife and poker (Sua) with the intention of killing me. I ran here and there to save my life. They hit me on my face, waist, chest and leg, they said that they will kill me next time and all of them ran away with their weapons from there. Then the passersby admitted me to GH Bhiwani, from where I was referred and I came to Kadam Hospital for my treatment. Legal action should be taken against them. SD/- Nitin Kumar S/o Narender, resident of Dohki, District Dadri. ”

3. Learned counsel for the petitioner contends that the petitioner was not named in the FIR and has been wrongly arrested only on the basis of suspicion. Even, it has been alleged that a *danda* was allegedly recovered from the present petitioner, whereas all the injuries suffered by the injured in the present case are incised wound. Thus, the medical evidence does not support the story of the prosecution. The petitioner was arrested in the present case on 10.02.2025 and the injured has already been discharged from the hospital. Learned counsel further submits that the investigation in the present case is complete and challan has been presented against him. However, no witness has been examined so far.

4. On the other hand, status report has been filed by way of an affidavit of Deputy Superintendent of Police, Haryana and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had caused injuries with a *danda* on the back of the injured. However, he admits that the injured has already been discharged in the present case.

5. I have heard the learned counsel for the parties and perused the record.

6. It is not in dispute that the petitioner is in custody for the last more than 05 months and no witness has been examined so far. The prosecution has relied upon 16 witnesses and the conclusion of the trial may take quite a long time. Even, the injury, which attracted the offence under Section 109 of BNS, is not attributed to the present petitioner.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

14.07.2025
hemlata

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