



CRM-M-19836-2025 (O&M)

1

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

209-II

CRM-M-19836-2025 (O&M)

Date of decision : 19.09.2025

Amit Jha

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGHPresent: Mr. Arjun Dhingra, Advocate
for the petitioner.

Ms. Deepali Verma, Asst. A.G. Haryana.

SURYA PARTAP SINGH, J.

1. For the commission of offence punishable under Sections 148, 149, 323, 325, 341, 307, 201 and 120B of the Indian Penal Code, hereinafter being referred to as 'IPC', the FIR No.229 dated 22.06.2024 has been recorded in Police Station Central Faridabad, District Faridabad. The petitioner is in custody, and therefore, craving for bail. This is the first petition for bail, filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. The learned State Counsel has filed the custody certificate of the petitioner and reply to the petition. The same be taken on record.



CRM-M-19836-2025 (O&M)

2

3. Briefly stating the facts emerging from record are that the abovementioned FIR came into being on the basis of written statement submitted by Raj Kumar. In the abovementioned complaint addressed to Incharge, Police Post, Sector 15-A, Faridabad, it was stated by the complainant that his son Vishal, who worked in DOMPROS Consultants Pvt. Ltd., Ajrona, Faridabad, had left home at about 07:00 am on 20.06.2024. According to complainant, at about 11:00 am, he received a message from the office of Vishal that Vishal had been injured in an attack, and therefore, admitted in B.K. Hospital, Faridabad. It was further stated by the complainant that on receipt of abovementioned information, when he went to hospital, he came to know, on enquiries, that in the street situated near the office of his son, 7-8 boys had attacked him with the help of sticks, and that they thrashed his son Vishal with punches & kicks, and also inflicted injury with the help of sticks.

4. It is the case of the prosecution that in response to the abovementioned complaint, formal FIR for the commission of offence punishable under Sections 323, 341, 148, and 149 of IPC was lodged, but later on, after receiving the report from Medical Officer with regard to nature of injuries suffered by the injured Vishal, Sections 307, 325, 201 and 120B of IPC have been invoked in this case.

5. Heard.

6. It has been contended by learned counsel for the petitioner that the petitioner is innocent having no nexus, whatsoever, with the commission



CRM-M-19836-2025 (O&M)

3

of crime, and that he has been falsely roped-up in the present case. According to learned counsel for the petitioner, the petitioner has already suffered sufficient incarceration for being in custody for a period of more than one year, and that the benefit of bail has already been accorded to the co-accused.

7. *Per contra*, learned State Counsel has argued that heinous offence, i.e. attempt to commit murder, has been committed by the petitioner, and that there are very specific and categorical attribution to the petitioner. As per learned State Counsel, the victim has suffered injury in his head, and that in view of gravity of offence, the petitioner is not entitled for the benefit of bail.

8. The record has been perused carefully.

9. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration, before arriving at any decision with regard to present petition for bail. Those factors are: -

- a) that the petitioner has already suffered sufficient incarceration for being in custody for a period of more than 01 year and 01 month;
- b) that the injury on head, which could be dangerous to life, is not attributed to the petitioner;
- c) that nothing is left to be recovered from the possession of petitioner;
- d) that the injured has already been discharged from the hospital;



CRM-M-19836-2025 (O&M)

4

- e) that the trial is not likely to be concluded in near future, as out of 21 cited witnesses, none has been examined;
- f) that detention of the petitioner in judicial lockup is not likely to serve any purpose;
- g) that co-accused having similar role has already been afforded the benefit of bail; and
- h) that there is nothing on record to show that if released on bail, the petitioner would tamper with evidence or influence the witnesses.

10. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to the conclusion that the petitioner is entitled for the benefit of bail. Therefore, without commenting anything on the merits of the case, the present petition is hereby allowed. Hence, petitioner is hereby admitted to bail subject to his furnishing bail bonds to the satisfaction of learned trial Court. It is, however, clarified that in case, the concerned Court is not available on the given date, the learned Sessions Judge would be at liberty to assign the abovesaid case, for the abovesaid purpose, to any other Court.

(SURYA PARTAP SINGH)
JUDGE

SEPTEMBER 19, 2025

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No