



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

CRM-M-37231-2025

Date of Decision:05.08.2025

Kuldeep Singh

...Petitioner

Vs.

State of Haryana

...Respondent

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

Present : Mr. Gagan Bajaj, Advocate
for the petitioner.

Mr. Dhruv Dayal, Addl. A.G., Haryana.

Ms. Tanya Kanwer, Advocate with
Mr. Shiv Parkash Singh Rana, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.832, dated 12.12.2024, registered under Sections 109(1), 115, 3(5), 304 of B.N.S, Police Station Rania, District Sirsa, wherein, challan presented under Sections 115(2), 304(2),117(2), 238 of B.N.S and charges framed under Sections 115(2), 304(2), 3(5), 177(2),238 of B.N.S,2023.

2. Learned counsel for the petitioner contends that as per the version of the complainant, the petitioner was armed with an axe and he had allegedly broken the window of the van and had caused injury on the left leg of the complainant. He further contends that during the course of investigation, it was disclosed that all the three injuries on the person of the complainant were declared to be grievous in nature and no injury was declared to be dangerous to

life. Consequently, offence under Section 109(1) of B.N.S was ordered to be deleted in the present case. The petitioner was arrested in the present case on 19.12.2024 and is in custody since then. As per learned counsel, the charge has been ordered to be framed against him, however, no witness has been examined by the prosecution so far. Thus, further custody of the petitioner will not serve any meaningful purpose.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that two more cases were ordered to be registered against the petitioner.

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

5. The petitioner was arrested on 19.12.2024 and is in custody for the last about 08 months. Moreover, the injured has already been discharged from the hospital and keeping in view the nature of injury suffered by complainant, offence under Section 109(1) B.N.S has been deleted.

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

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court

concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

05.08.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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