



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

243

**CRM-M-10105-2025  
Date of decision: 29.04.2025**

Pardeep

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Amit Choudhary, Advocate  
for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

\*\*\*\*

**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.489 dated 28.10.2024 under Sections 115(2), 118(1), 118(2), 109, 126(2), 190, 191(2), 191(3), 351(2) of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Sadar Fatehabad, District Fatehabad.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case at hand on the basis of totally concocted and exaggerated allegations. Although the petitioner has been named in the FIR in question annexed as Annexure P-1, however, even as per the contents of the FIR, the petitioner was empty handed and had only physically assaulted the injured-complainant by inflicting fist blows on his person. It has been argued by the learned counsel that since challan has already been presented against the



CRM-M-10105-2025

petitioner and even charges stand framed, further incarceration of the petitioner would serve no useful purpose as the possibility of the trial concluding in the near future does not arise with 22 prosecution witnesses having been cited.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has reiterated the allegations levelled in the FIR which stands reproduced hereinunder:-

*“Statement of Manpreet Singh son of Harmeet Singh son of Mitthu resident of Aehrwan and aged about 26 years mobile No. 9992657278 stated that I am resident of above mentioned address and I am 9th class passed. We are two brothers, me is the eldest one and younger to me is Raja who is unmarried and does the work of labour. On dated 25.10.2024, I and Gursharan Singh son of Jaswant Singh who is resident of my Village and my friend and on the vehicle Alto Car which belongs to the Gurcharan Singh at about 7.30 PM started from my house for having dinner at Bachna Hotel which is situated under the periphery of our village and the car was driven by Gursharan. When we were about to leave the Bachna Hotel after paying the dues of morning food to the owner of the Bachna hotel then at the same time Sonu son of Lambar who is resident of above village, who is having Churri (sharp knife), Pardeep son of Khurshid who is empty handed, Mandeep Son of Prem Singh who was empty handed, Gyani son of Ranjit who was having Sua in his hand which is used for breaking the ice, Gaggu son of Shinda who was having sword in his hand, all boys riding on the motorcycle came at Bachna Hotel. That while coming Sonu raised Lalkara, today we got the chance and we will teach him a lesson and Pardeep and Mandeep both have given fist and slap blows to me and Gursharan and Sonu was having Churri (Sharp knife) in his hand and gave blow on my back. Thereafter, Gaggu who was having sword in my hand gave blow which hit on wrist of right hand and his second blow hit near to the elbow. Thereafter, Gaggu who was carrying sword in his hand gave a blow on me and I backed away, thereafter, Gursharan Singh my friend tried to rescue me. Thereafter, Gyani who was having Sua in his hand give a blow of Sua on Gurchran Singh which hit him near below the right arm. Thereafter, I raised noise bachao bachao*



CRM-M-10105-2025

*and number of people gathered there and while seeing the crowd Sonu, Pardeep, Manpreet, Gyani, Gaggu, lovepreet above said ran away from the spot on their motorcycle with their respective weapons and while going they all were saying that today you are saved and in future we will kill you. The grudge is that I had a fight with Sonu three years ago with regard to some issue and due to that reason still they are having grudge and in this regard I had not made any complaint to the police. That due to this grudge I and my friend Gursharan both have wrongly restrained and gave us the injuries. Thereafter, Deepu son of Raj (who known as Bania) admitted us in General Hospital Ratia after arranging the vehicle, where the Doctor Sahib giving us first aid and refer us to MAMC Agroha where our treatment is going on. Legal action be taken against Sonu, Pardeep, Mandeep, Gyani, Gaggu, Lovepreet. I have got recorded my statement heard which is correct. Sd/- Manpreet Singh.”*

4. It has been asserted that a perusal of the FIR reveals that the petitioner has not only been specifically named therein, but had accompanied the co-accused who were armed with lethal weapons. However, learned State counsel, on instructions, not disputed that no specific injury has been attributed to the petitioner and the grievous injuries sustained by the complainant party have been attributed to the co-accused who were armed with different weapons. Learned State counsel, on further instructions, has not disputed the custody period of the petitioner nor has he disputed that the prosecution evidence is likely to commence on the next date of hearing which is 22.05.2025.

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

6. As per the allegations in the FIR, the petitioner was empty handed and no specific injury has been attributed to him, much less any grievous injury. The trial would take considerable time to conclude as



**CRM-M-10105-2025**

prosecution evidence is yet to commence. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

**29.04.2025**

Vinay

**(MANJARI NEHRU KAUL)**  
**JUDGE**

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