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**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****CRM-6004-2025 in/and  
CRA-S-4264-2024(O&M)  
Date of Decision:29.04.2025**

Surender

...Appellant

vs.

State of Haryana and others

...Respondents

**Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present : Mr. Lalit Kumar Narang, Advocate  
for the appellant.

Mr. Gurmeet Singh, AAG, Haryana.

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**N.S.Shekhawat J. (Oral)****CRM-6004-2025**

1. Application is allowed as prayed for, subject to all just exception.

Annexure P-3 is taken on record.

**CRA-S-4264-2024**

1. The appellant has filed the present appeal against the impugned order dated 22.10.2024 passed by the Court of Additional Sessions Judge, Fatehabad in case FIR No. 145 dated 12.06.2024 under Sections 147, 148, 149, 323, 324, 506 of IPC and Sections 25/54/59 of Arms Act (Section 3(1)(R)(s) of SC/ST Act added later on), registered at Police Station Bhattu Kalan, District Fatehabad, whereby, the bail application under Section 483 of BNSS filed by the present appellant was ordered to be dismissed.

2. Learned counsel for the appellant submits that as per the case set up by the prosecution, the appellant was allegedly armed with pistol and he gave a blow with butt of the pistol on the left side of the chest of the



complainant. He further contends that the injured has already been discharged from the hospital and is hale and hearty. Even the injury, suffered by the complainant, has been declared to be simple in nature. The appellant was arrested in the present case on 26.06.2024 and no purpose will be served by keeping him behind bars. Learned counsel for the appellant further contends that the appellant has referred to various zimni orders passed by the trial Court on 26.11.2024 to 18.04.2025, to contend that all the prosecution witnesses are intentionally not appearing before the trial Court and every possible effort is being made to delay the trial, so that the appellant may continue in jail for a longer period.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the appellant on the ground that the appellant is a hardened criminal and is involved in nine more criminal cases.

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

5. In the present case, it has been alleged that the appellant had caused a simple injury to the complainant of the present case and the said injury has been declared to be simple in nature. Moreover, the recoveries, if any, have already been effected from the appellant. The appellant is stated to be in custody for the last more than 10 months. Thus, no purpose will be served by keeping the appellant behind bars.

6. Thus, without commenting on the merits of the case, the present appeal is allowed and the appellant is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned subject to the following conditions:-



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

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

(iv) The appellant 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 appellant 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 appellant involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move a petition for cancellation of bail granted to him.

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

7. Pending application, if any, stands also disposed of.

29.04.2025  
hemlata

(N.S.SHEKHAWAT)  
JUDGE

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