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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20346-2025

Date of Decision:- 04.07.2025

Nishant

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTIPresent:- Mr. Govind Chauhan, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Kamal Deep Kumar, Advocate
for the complainant.

AMARJOT BHATTI, J.(Oral)

1. Petitioner – Nishant has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No. 425 dated 05.06.2024 under Section 307, 323, 498-A of Indian Penal Code, 1860 registered at Police Station Shahabad, District Kurukshetra (Annexure P-1).

2. Facts of the case are, Gaurav Kumar filed written complaint that his sister namely Silki age about 35 years was divorced lady. About two years ago, she performed love marriage with Nishant. His sister informed him that Nishant used to fight with her. She was constantly beaten up by her husband in matrimonial home. On 05.06.2024, he came to know that his sister was caused serious injuries including head injury by her husband Nishant with intention to kill her and she was admitted to hospital. He further came to know that his sister was pregnant when Nishant inflicted serious injuries and put her life in danger.



3. Learned counsel for petitioner pointed out that FIR is lodged at the instance of brother of alleged victim. All allegations levelled against him are false. Petitioner is a young boy who is not involved in any other case. At the instance of Neeru @ Silki, one FIR No. 123 dated 30.11.2021 was registered under Section 313, 323, 354-D and 376(2)(n) of IPC, Women Police Station, Ambala, in which he was acquitted. After his acquittal in said FIR, he had performed marriage with Neeru @ Silki. In the case in hand, challan is already presented and charges are also framed. Statement of injured Neeru @ Silki has been recorded. Custody of petitioner is more than 10 months. He is ready to abide by terms of bail order. Therefore, his regular bail petition may be allowed.

4. Mr. Kamal Deep Kumar, Advocate appeared on behalf of complainant and opposed the regular bail petition filed by petitioner. It is pointed out that victim was seven months pregnant when she was caused serious injuries which were dangerous to her life. There are grave allegations against petitioner. Therefore, he is not entitled to be released on regular bail.

5. Status report is also filed today, which is taken on record, subject to all just exceptions. Facts narrated in FIR are confirmed. Alongwith status report, copy of MLR is placed on record as Annexure R-1, though not clearly legible, but it is evident that victim had received five injuries including head injuries with wooden stick/sotha and at that point of time, she was seven months pregnant. Medical record alongwith opinion of doctor is also annexed as Annexure R-4. Copy of case summary is also placed on record as Annexure R-3. Statement of victim has been recorded as PW-2 where she fully supported prosecution case. Copy of said



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statement is Annexure R-7 and copy of statement of complainant is Annexure R-8. Considering the gravity of offence, petitioner is not entitled to be released on bail.

6. I have considered the arguments and have gone through the record carefully. Aforesaid facts clearly indicate that present petitioner Nishant caused serious injuries including head injuries to his wife when she was already seven months pregnant. Today, victim is present in Court who claimed that child born to her has been handed over to some relative where child is being looked after. Facts of the case narrated in bail petition further indicates that petitioner was earlier involved in FIR No. 123 dated 30.11.2021 registered at the instance of present petitioner with allegations of rape etc. in which he was acquitted and thereafter, he had performed marriage with victim. Even thereafter, victim has been given serious injuries during her marriage with petitioner. As per status report, prosecution evidence is being recorded. Till date after framing of charge-sheet on 11.10.2024, out of 18 prosecution witnesses, 08 witnesses have already been examined. Therefore, trial is going at a good pace. Considering the sequence of events and gravity of offence, I do not find a fit case for grant of regular bail to petitioner Nishant and petition filed by him is, accordingly, dismissed.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

04.07.2025

*lalit***(AMARJOT BHATTI)
JUDGE**

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