



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

303

CRM-M-27390-2025

Date of decision: 27th May, 2025

Anil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

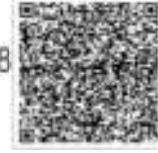
Present: Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 191 dated 15.03.2025 registered under Sections 115, 118(1), 3(5), 351(3) and 109(1) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 109(1) of BNS deleted later on) at Police Station Sadar Karnal, District Karnal.

2. As per the allegations, on 15.03.2025, the complainant along with his companions was standing outside his house, when the petitioner reached there and asked the complainant to come to him saying that someone had come to meet him. The complainant went along with him and the petitioner took him to the co-accused Kamal, who opened an assault with thereby striking several blows upon him with a knife, with intent to kill him.



He had fallen down. His friend Ricky rushed for his rescue and then accused Kamal struck blow with knife on the chest and arm of Ricky. They raised alarm, on hearing which, some persons gathered there and then the petitioner and co-accused Kamal fled away, while extending threats to kill them. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested and is in custody since 17.03.2025. Offence under Section 109(1) of BNS was added during the course of investigation, but the same was subsequently deleted. Investigation stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 17.03.2025. The subject offences are triable by Magistrate. His custodial interrogation is not required. Trial will take considerable time to conclude. He has clean antecedents. His further custody would not serve any useful purpose. It is therefore, argued that the petition deserves to be allowed.

4. *Per contra*, learned Assistant Advocate General, Haryana, has argued that there are serious and specific allegations against the petitioner and therefore, it is urged, that he does not deserve to be released on bail.

5. Rival contentions raised by both the parties have been considered.

6. The petitioner along with the co-accused is alleged to have assaulted the complainant and caused simple injuries to him. He is also alleged to have extended threats to kill the complainant. He is in custody since 17.03.2025. The offences for which he has been booked are triable by Magistrate. Obviously, the trial will take time to conclude. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in



view the above discussed facts but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th May, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*