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

CRM-M-32842-2025 (O&M)

Date of decision: 24.06.2025

Lalit Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vishal Singh, Advocate for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

VIKAS BAHL, J. (ORAL)

1. This is a first petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.142 dated 28.08.2024 registered under Sections 109(1), 115, 118(1), 190, 191(3) and 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 at Police Station Ismailabad, District Kurukshetra.

2. Learned counsel for the petitioner has submitted that the petitioner is in custody since 02.09.2024. It is further submitted that the investigation is complete, challan has been presented and there are 23 prosecution witnesses, out of which, 12 witnesses are yet to be examined and thus, the conclusion of trial is likely to take time and that the petitioner is not involved in any other criminal case. It is further submitted that the



petitioner is resident of Chandigarh whereas the injured and the complainant are residents of Hisar and are not known to each other previously and the incident had taken place at the spur of moment. It is also submitted that a perusal of MLR of Tushar-injured dated 28.08.2024 (Annexure P-1) would show that it has been stated in the said MLR that smell of alcohol was present in his breath and thus, prima facie shows that the said Tushar was under the influence of liquor. It is stated that the said Tushar is absolutely fit presently. Learned counsel for the petitioner has further made reference to the evidence of PW4 Dr. Dinesh Sharda, who in his cross-examination has stated that according to his record, the injury mentioned in MLR of Tushar is not grievous. It is stated that the co-accused of the petitioner namely Mukesh, Ranbir @ Ranveer and Ajay have already been granted the concession of regular bail by the Coordinate Bench of this Court. It is further submitted that in case the petitioner is granted concession of regular bail by this Court, then, the petitioner undertakes not to go within 500 meters of the house of the complainant or injured and has further submitted that the petitioner is ready to pay an amount of Rs.25,000/- to the injured-Tushar for the purpose of his medical expenses within a period of three weeks from today. It is submitted that the payment of the said amount should not be construed as an admission of guilt on behalf of the petitioner.

3. Learned State Counsel, on the other hand, has opposed the present petition for grant of regular bail to the petitioner and has submitted that the petitioner is the main accused and it is he who had given the injuries to the injured-Tushar. However, other aspects have not been disputed before this Court.



4. Keeping in view the abovesaid facts and circumstances, more so, the facts that the petitioner is in custody since 02.09.2024 and that the investigation is complete, challan has been presented and out of 23 prosecution witnesses, 12 witnesses are yet to be examined and thus, the conclusion of trial is likely to take time and that the petitioner is not involved in any other criminal case and the fact that the arguments raised on behalf of the petitioner raises debatable points, which would be considered at the stage of final adjudication of the case by the trial Court and also the fact that the co-accused of the petitioner namely Mukesh, Ranbir @ Ranveer and Ajay have been granted regular bail by the Coordinate Bench of this Court, the present petition for regular bail is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate and subject to him not being required in any other case.

5. As undertaken before this Court, the petitioner would deposit an amount of Rs.25,000/- within a period of three weeks from today before the trial Court and the trial Court would release the said amount to the injured-Tushar. Same would not be construed as an admission of guilt by the petitioner. Further as undertaken before this Court, the petitioner would also not go within 500 meters of the house of the complainant and injured.

6. However, it is made clear that in case, any act is done by the petitioner to threaten the complainant or any of the witnesses and in case the abovesaid amount is not deposited by the petitioner within the aforesaid period, then it would be open to the complainant/State to move an application for cancellation of bail granted to the petitioner.



7. Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

8. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

24.06.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No