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

**CRM-M-39515-2025 (O&M)
Date of Decision : 05-08-2025**

Jatin And Another

.....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rajesh Lamba, Advocate and
Mr. Abhinav Kaushik, Advocate
for the petitioner(s).

Dr. Jasmine Gill, AAG, Haryana.

Mr. Ram Bilas Gupta, Advocate
for the complainant.

ANOOP CHITKARA, J. (Oral)

FIR No.	Dated	Police Station	Sections
212	26.04.2025	Sector 58, District Faridabad	110, 115(2), 126(2), 351(2), 127(2), 190, 191(2), 117(2) BNS.

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. Per paragraph 7 of the bail petition, the petitioners have clean antecedents.
3. The facts and allegations are being taken from the reply dated 4.8.2025 filed by the State, which reads as follows:

“2. That brief facts of the case are that on 25.04.2025, information was received from General Hospital, Ballabgarh to the effect that Abhishek has received injuries in a fight and admitted at hospital. On this information, HC Vishnu reached at General Hospital, Ballabgarh and obtained rukka and MLR of injured Abhishek but injured was referred to Trauma Center Delhi. On 26.04.2025, ASI Rakesh alongwith HC Vishnu reached at AIIMS Delhi and opinion of doctor was sought for recording statement of injured Abhishek but patient/injured was found unfit for making statement and father of injured namely Janardhan Pandey present there, got recorded his statement to the effect that on 24.04.2025 at about 5:00-6:00 P.M, his daughter namely Sapna informed him through telephonic call that some fight has taken place with her brother Abhishek and her brother Abhishek was taken to General Hospital, Ballabgarh for treatment. Thereafter, he reached at

Ballabgarh Hospital and asked his son Abhishek about the injuries received by him, Abhishek told him that Jatin and his friend has obstructed his passage and caused injuries to him and also threatened to kill him in near future. From there, his son was referred for treatment to Trauma Center Delhi, from there he was further referred to AIIMS Delhi. Accordingly on the basis of these facts, present FIR No. 212 dated 26.04.2025, under Sections 110, 115(2), 126(2), 351(2), 127(2), 190, 191(2), 117(2) BNS was registered at Police Station Sector-58, Faridabad.”

4. At the outset, petitioner's counsel submits that the matter stands compromised between the parties and even a petition has also been filed for quashing of the FIR captioned above, wherein statements of the parties *qua* the compromise and no objection to quashing of the FIR, have also been recorded.

5. Counsel for the complainant does not dispute the submissions made on behalf of the petitioner.

6. However, given the allegations, the State’s counsel opposes bail

REASONING:

7. As per the reply filed by the State, the role assigned to the petitioner is as under:-

“5. That during investigation on 28.04.2025, petitioner No.1 Jatin was arrested in the present case. He suffered his acceptance statement. He also got demarcated the place of occurrence and also got recovered the danda used in commission of offence. Thereafter, Section 127(2), 190, 191(2) BNS were added and Section 3(5) BNS was deleted in the present case....”.

6. That during investigation on 29.04.2025, petitioner No.2 Rahul was arrested in the present case. He suffered his acceptance statement. He also got demarcated the place of occurrence.....”

8. Per the custody certificate dated 29.7.2025, the petitioner’s total custody in this FIR is more than 3 months.

9. Given the factum of compromise between the parties, the penal provisions invoked viz-a-viz pre-trial custody, coupled with the *prima facie* analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage, subject to the compliance of terms and conditions mentioned in this order.

10. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

11. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds

to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

12. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

13. This order is subject to the petitioner's complying with the following terms.

14. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

15. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

16. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

17. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

05-08-2025
AK

(ANOOP CHITKARA)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO