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

**CRM-M-20151-2025
Date of Decision:24.04.2025**

MANGAL

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Ashwani Gaur, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.240 dated 26.05.2024, registered under Sections 379-B of IPC (Section 324 IPC added later on) Police Station Civil Lines, District Sirsa.

2. The FIR in the present case was registered on the basis of the statement made by Amit Kumar son of Chaman lal and the same has been reproduced below:-

“Statement of Amit Kumar son of Chaman Lal resident of street No.13 Preet Nagar, Begu Road Sirsa aged about 40 years mobile No.7015713204. I would like to state that I am resident of above noted address and I am doing the work of marketing in



VECTUS Company of Sanitary in Sirsa and Deepanshu son of Rajesh Singhal resident of village Kamaspur Police Station Bhargarh District Sonimat is also doing the work of marketing of Sanitary of Anul Company in District Sirsa with me.

Yesterday on 25.05.2024 during night hours, I along with my friend Deepanshu went to Delhi bridge on my car bearing registration No. HR26-ZX-3817 make Alto colour Silver, I was driving the car and thereafter we were going towards Barnala road via Minni bypass and we had reached about 150/200 mrs ahead on Barnala road from Delhi Bridge then I stopped my car on asking of Deepanshu to get free from natural call then I stopped the car on one side.

At around 9.15/9.20 O'clock, I was sitting on the driver seat inside the car then four boys came on a motorcycle, having muffled faces, they knocked the door the window glass of my car and when I opened the window of car then suddenly a boy has caught hold my collar and alighted me from the car and he has demanded key from me, I refused to give key then two boys more came on a motorcycle from back side and one by has given blow of Kapa on my head from back side, then second boy has given on my head, due to which, I fell down on the ground, Deepanshu came forwarded to save me the one boy has given blow of Danda on the left of Deepansu and thrown him on the ground, I got up and tried to save him, then boy has given blow of Kapa on my waist, due to which the key of car fell down on the ground from my hand, then one boy has given blow of Danda on my left side knee, then one boy said that let's kill him, then I and Dipanshu have raised noise "Mardia Mardia" then said unknown boys have ran away from the spot along with my car. My purse, mobile phone make OPP in which two SIM of Jio 9518152521 and Airtel 9896411383 were working and the documents of my scootry, RC of my key, my license, ATM of Bank of India, PAN Card of my wife, Aadhar Card of my wife and my both children and Rs. 3000/-in cash were in my



purse. Thereafter my friend Deepanshu has made phone call at helpline No. 112, then the officials of Helpline No. 112 reached at the spot and they took us to Government Hospital Sirsa for treatment, where the doctor has given me first aid and got done my CT Scan, thereafter I came back to my house. Today I along with my wife Meena and my friend Dipanshu came to Police Post to give complaint in this regard and I have presented the MR of my injuries to you. The unknown boys have snatched my car by causing injuries to me and my friend Deepanshu. Legal action be taken against them. Statement got recorded, heard, same is correct. Sd/- Amit Kumar.”

3. Learned counsel for the petitioner contends that the petitioner was not initially named in the FIR and the FIR was registered against unknown persons. It was alleged that the accused had reached the place of occurrence in muffled faces and the complainant could not have identified the accused in the present case. He further contends that the petitioner was arrested only on the basis of suspicion in the present case and no test identification parade was conducted, so as to establish the involvement of the petitioner in the crime. He further contends that recovery of a *Kappa* was planted on him, however, the said weapon does not connect with the commission of crime in any manner. He further contends that all the injuries suffered by the complainant in the present case were declared to be simple in nature and the injured is hale and hearty. The petitioner was taken in custody on 01.07.2024. He further contends that the petitioner is in custody for the last more than 07 months and the prosecution has been examined only one witness.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that



serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. He further submits that the petitioner has been involved in 03 more criminal cases.

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

6. It is the admitted fact that the two co-accused namely Rinku and Sandeep have already been granted the concession of bail by this Court vide orders Annexure P-2. The petitioner is at par with them. Moreover, the petitioner is stated to be in custody for the last more than 07 months and only one witness has been examined so far. Thus, the further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

24.04.2025
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(N.S. SHEKHAWAT)
JUDGE

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