

2025:PHHC:131242



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

209

(I) CRM-M-51008-2024

SONU

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

(II) CRM-M-6638-2025

BIMLA DEVI

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

Date of decision: September 22, 2025

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. S.K. Verma, Advocate
for the petitioner (in CRM-M-51008-2024).

Mr. Rao Ajender Singh, Advocate
for the petitioner (in CRM-M-6638-2025).

Mr. G.S. Chhina, Sr. DAG, Haryana.

MANJARI NEHRU KAUL, J.(ORAL)

1. As the instant petitions arise out of the same FIR and occurrence, both of them are being decided vide this common judgment.

2. The petitioners, Sonu and Bimla Devi, are seeking the concession of regular bail in case FIR No.40 dated 04.02.2023 under Sections 147, 148, 149, 323, 452, 506, 302 of Indian Penal Code, 1860, registered at Police Station City Narwana, District Jind (Annexure P-1), for offences arising out of an incident dated 03.02.2023, wherein the



complainant party was allegedly attacked by an unlawful assembly, resulting in the death of one Mishro Devi.

3. Learned counsel for the petitioners have contended as follows: -

PETITIONER SONU

- His name does not figure in the FIR (Annexure P-1). The assailant identified therein by both the complainant Barkha (PW1) and the injured-Raju (PW2), was described as “*Sonu s/o Mamu*”, whereas the present petitioner is “*Sonu s/o Karambir Singh*”.
- It is urged that the petitioner is a victim of mistaken identity and that his implication rests solely upon a disclosure statement made by a co-accused, which has weak evidentiary value.
- Even in their subsequent depositions before the learned trial Court, both the material witnesses i.e. complainant Barkha and injured Raju maintained their stand that it was “*Sonu s/o Mamu*”, who was involved, thereby exonerating the petitioner.
- The only alleged evidence against him is the recovery of a hockey stick pursuant to a disclosure statement. Such recovery, it is argued, is insufficient to warrant his further incarceration, especially when no fatal blow has been attributed to him.

**PETITIONER BIMLA DEVI**

- It is submitted that no specific or grievous injury has been attributed to her either in the FIR or in the medical evidence.
- The allegation against her is limited to slaps and fist blows during the melee.
- The medical evidence reveals only three simple injuries on PW2 Raju caused by a blunt weapon, whereas the fatal blow to the deceased Mishro Devi was from a *gandasi* on the head, not attributed to this petitioner.
- Her implication, it is contended is omnibus in nature, unsupported by medical corroboration, and evidently an afterthought.
- It is further argued that similarly situated co-accused namely Ravinder @ Gullu, Baba @ Rahul and Sethi @ Sourabh have already been granted bail by this Court (Annexure P-5).

4. It has also been submitted that the petitioners have been in custody since 31.03.2024 (petitioner Sonu) and 12.06.2024 (petitioner Bimla Devi). Not only have the charges been framed; out of 21 prosecution witnesses, 8 witnesses stands examined including the two most material witnesses i.e. complainant Barkha and injured Raju. 13 prosecution witnesses still remain to be examined, and since the trial is proceeding at a slow pace, there is no likelihood of the trial concluding in the near future. In



such circumstances, it is urged that further incarceration of the petitioners would serve no useful purpose, moreso when they have no previous criminal antecedents, and there can be no apprehension of both of them tampering with evidence or influencing any of the witnesses.

5. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, on instructions, has contended that the petitioners were active participants of the unlawful assembly, which attacked the complainant party inside their own house. Petitioner Sonu was armed with a hockey stick and his disclosure statement led to the recovery of the very weapon used in the assault. Further, it has been submitted that petitioner Bimla Devi admitted in her disclosure statement to have entered the house of the complainant and inflicted fist blows. Learned State counsel has, therefore, asserted that their participation, coupled with that of the other accused, culminated in the death of Mishro Devi.

6. However, learned State counsel, on instructions, has fairly not disputed that several co-accused with comparable roles have already been granted bail; the trial has commenced and 13 prosecution witnesses remain to be examined. The material witnesses have already been examined. It has also not been disputed by the learned State counsel, on instructions, that the petitioners have no criminal antecedents.



7. I have heard learned counsel for the parties and perused the relevant material placed on record.

8. It is not in dispute that co-accused Ravinder @ Gullu, Baba @ Rahul and Sethi @ Sourabh, who are alleged to have played an active role in the occurrence, have already been granted regular bail by this Court. The role attributed to the present petitioners is distinct and of a lesser degree. Petitioner Sonu is alleged to have wielded a hockey stick, and petitioner Bimla Devi is alleged to have given slaps and fist blows. The fatal injury to the deceased Mishro Devi is not attributed to either of them.

9. The petitioners have already undergone substantial periods of custody i.e. since 31.03.2024 and 12.06.2024 respectively. The trial is unlikely to conclude in near future, with 13 witnesses still remaining to be examined.

10. In the light of above circumstances, and keeping in view the principles of parity, the lesser roles attributed to the petitioners, the absence of fatal injury being ascribed to them, and the delay likely in the conclusion of the trial, this Court deems it fit to admit them to bail.

11. Accordingly, the instant petitions are allowed, and the petitioners be admitted to bail on their furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.



12. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

13. Needless to add here, in case the petitioners are found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to them.

14. Copy of this order be placed on the file of the connected case.

September 22, 2025

Jaspreet Kaur

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*