



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

CRM-M-14149-2025(O&M)

Date of decision: 01.07.2025

Raman @ Bagri

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Nikhil Vats, Advocate,
for the petitioner.

Mr. Dharam Pal, AAG, Haryana.

SANJAY VASHISTH, J. (ORAL)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Raman @ Bagri	596	12.11.2023	148, 149, 323, 341 & 506 IPC (Section 307 & 34 added lateron and Sections 148 & 149 deleted)	Sadar Fatehabad	Fatehabad

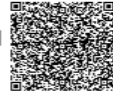
2. As per allegations, petitioner caused a stick blow on left side of injured Ashok, while he was traveling on a scooter. Initially, FIR was registered under Sections 323, 341 & 506 of IPC. However, at the time of



filing of challan/final report, under Section 173(2) Cr.P.C., offences under Section 307 & 34 were also added.

3. Learned counsel for the petitioner submits that FIR was registered two days after the incident on 12.11.2023, whereas the incident took place on 10.11.2023. Further, he argues that petitioner is inside jail since 14.08.2024, and despite granting several opportunities, the alleged injured witness, namely, Ashok has not appeared to depose in the witness box, causing delay in Court proceedings. To substantiate his submissions, he refers zimni order dated 25.02.2025 and submits that the proceedings were adjourned to 22.04.2025. Even on that date, witness Ashok did not appear, and the proceedings were further adjourned to 03.06.2025. As a result of non-appearance of the said witness, non-bailable warrants have now been issued for 25.07.2025. Thus, delay is being caused in the process of recording of the witnesses in this case, for which petitioner cannot be penalized by keeping him in custody for an indefinite period.

3. On the other hand, while opposing the prayer, learned Assistant Advocate General, Haryana submits that it is blow given by the petitioner which resulted in falling down of injured Ashok on the ground while travelling on scooter, endangering his life. However, he is not in a position to controvert all other factual aspects, which have been addressed by counsel for the petitioner and same having been recorded hereabove.



Additionally, learned State counsel argues that petitioner does not deserve any discretionary concession because of his involvement in the three other criminal cases.

4. However, petitioner's counsel controverts the same by submitting that the petitioner has already been released on bail in all those other cases.

5. Going through the pleadings raised through the instant bail petition and hearing of the respective counsel of the parties, this Courts finds that no accused can be penalized for an indefinite period by detaining his personal liberty on account of the reasons that the witnesses are not appearing in the Court to depose truth. Moreover, as per allegations, petitioner had caused an injury on left side of injured Ashok by his stick, which can not be counted a dangerous weapon at this stage, without having its effect through a medical evidence.

6. In view of totality of circumstances addressed by counsel for both the sides, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial



Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. Petition stands disposed of.

**(Sanjay Vashisth)
Judge**

01.07.2025

Rajan

Whether speaking / reasoned:
Whether Reportable:

Yes/No
Yes/No