

2025:PHHC:029057



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

**CRM-M No.171 of 2025
Date of Decision: 28.02.2025
Reserved on: 21.02.2025**

Sandeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Bijender Dhankhar, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
236	16.07.2024	Israna, District Panipat	109 (1), 351 (3) and 3 (5) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS") (3 (5) of BNS deleted later on)

2. As per the prosecution case, on 14.07.2024, on receipt of information regarding admission of one Surendra Singh in Prem Hospital, Panipat, a police party reached there. Opinion was obtained regarding condition of the injured and he was found to be unfit to make statement.

2025:PHHC:029057



The statement of the injured Surendra Singh was then recorded on 16.07.2024 who alleged that the petitioner was having his agricultural land abutting the land of Village Panchayat. He was having a grudge with the complainant on account of cultivation of the Panchayat land and used to have altercations with him. On 12.07.2024, the complainant was present in his agricultural land when the petitioner reached there along with his brother and started hurling abuses to him. The petitioner was having a pistol and by showing the same to him, his brother and the petitioner extended threat to kill him if his tractor or any other article belonging to him was found lying on the pavement then on 14.07.2024, the complainant was going towards his house from his fields when the petitioner made a call to him and extended threat to remove his water pipeline installed in the field. On hearing so, the complainant went towards his field. The petitioner was standing there along with his brother Bir Singh. He struck a blow on the head of complainant with a kassi. The complainant fell down and was kicked by Bir Singh. He had become unconscious as a result of injuries sustained by him. On the basis of his statement and as per the opinion of doctor to the effect that injury sustained by the victim might be dangerous to life, the aforementioned FIR was registered. Investigation proceedings were initiated. The petitioner was arrested on 12.08.2024. The co-accused Bir Singh was found to be innocent. The investigation stands completed and the petitioner is facing trial for commission of aforementioned offences.

3. It was argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. Trial is

2025:PHHC:029057



likely to take time. No useful purpose would be served by keeping him in custody any more. Therefore, it was urged that he deserves to be released on bail.

4. Status report had been filed by the respondent-State. Learned Deputy Advocate General, Haryana assisted by learned counsel for the complainant had argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail. He has criminal antecedents as one more case under Section 302 of IPC has been registered against him. There are chances of his absconding if extended benefit of bail. Therefore, it was urged that the petition does not deserve to be allowed.

5. Learned counsel for both the parties were heard at considerable length.

6. The petitioner is alleged to have voluntarily caused simple as well as grievous injuries on the person of the victim-complainant as on 14.07.2024. He is in custody since 12.08.2024. Investigation has been completed. An opinion had been given by the doctor that the injury No.1 on the person of the victim might be dangerous to life. No definite opinion as to its being so, has however, been given. The trial is likely to take time. The involvement of the petitioner in one more case cannot be considered to be a ground for denying benefit of bail to him. Keeping in view the period spent by the petitioner in custody and in view of the above discussed facts and circumstances, I am of the considered opinion that the petitioner deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is

2025:PHHC:029057



ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

28.02.2025

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**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No