

2025:PHHC:081785



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

215+224+228

(1). **CRM-M-61775-2024**
Date of Decision: 09.07.2025
Nishant alias Harsh ...Petitioner

State of Haryana Versus ...Respondent
and

(2). **CRM-M-13524-2025**
Date of Decision: 09.07.2025
Gugan ...Petitioner

State of Haryana Versus ...Respondent
and

(3). **CRM-M-16344-2025**
Date of Decision: 09.07.2025

Sandeep ...Petitioner
State of Haryana Versus ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. S.S. Kaushik, Advocate for
Mr. Sandeep Saini, Advocate
for the petitioner in CRM-M-61775-2024.

Mr. S.S. Duhan, Advocate
for the petitioner in CRM-M-13524-2025.

Mr. Amit Khatkar, Advocate
for the petitioner in CRM-M-16344-2025.

Mr. Tanuj Sharma, AAG, Haryana and
Mr. Kirpal Singh Thakur, AAG, Haryana with
(S.I. Rajinder Kumar).

RAJESH BHARDWAJ, J. (ORAL)

1. By way of this common order, I intend to dispose of abovesaid three petitions as they have arisen out of the same FIR.

2. Petitioner(s) has approached this Court by way of present petition praying for granting regular bail in case FIR No.56 dated 19.02.2024 under Sections 323/324/34/341/506 of IPC, 1860 (Sections 307/326/148/149 of IPC were added later on) registered at Police Station Civil Line, Jind, District Jind.

3. Succinctly, facts of the case are that FIR was registered on the statement of the complainant namely Ankit. It was submitted that on 17.02.2024, when he was going along with his friend Saurabh and was sitting on the pillion seat of his motorcycle then at about 02:00/03:00 pm, three-four boys on two motorcycles came and stopped their bike from front and behind of their motorcycle. Harsh (petitioner in CRM-M-61775-2024) resident of Arhika stabbed him with knife and others kicked them. They received injuries and thus, it attracted the crowd at the scene of the occurrence. The assailants escaped from the place of the occurrence. They were shifted to PGI, Rohtak. It was alleged that Harsh, Sandeep and Gugan (petitioners) have caused injuries to them and thus, the legal action be taken against them. On the registration of FIR the investigation commenced and the petitioners were arrested on 10.04.2024, 10.04.2024 and 22.04.2024. They approached the Court of learned Additional Sessions Judge, Jind, praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner(s) vide orders dated 29.11.2024 and 03.03.2025. Hence, the petitioner(s) have approached this Court praying for grant of bail by way of filing the present petition.

4. It has been contended by learned counsel(s) for the petitioner(s) that the petitioner(s) has been falsely and frivolously roped in the present case. It is submitted that the petitioner Nishant has been alleged to have given stabbed blow to the complainant Ankit. However, complainant Ankit and his friend Saurabh have been examined as PW2 and PW3 before the trial Court. Both of them have

not supported the case of the prosecution. It is submitted that once the alleged injured i.e. complainant has not supported the case of the prosecution, the false implication of the petitioner(s) is writ large. It is further submitted that petitioner(s) has no criminal antecedents and they are behind the bars since the date of their arrest i.e. 10.04.2024, 10.04.2024 and 22.04.2024, however, there is no material progress in the trial. Thus, it is submitted that in view of the facts and circumstances of the case, the petitioner(s) deserves to be granted bail.

5. Reply dated 07.07.2025 in CRM-M-61775-2024 and CRM-M-16344-2025 have been filed by the State by way of affidavit of Mr. Jitender Singh, HPS, Deputy Superintendent of Police, Law & Order, District Jind, which are taken on record. Copy of the same has been supplied to the counsel for the petitioners.

6. Per contra, learned State counsel has opposed the submissions made by counsel(s) for the petitioner(s). He submits that though complainant Ankit and Saurabh have been declared hostile, however, their depositions are not liable to be discarded and the part which is consistent with the case of the prosecution can be relied upon. On instructions, he submits that out of total 14 prosecution witnesses, only 03 witnesses including the complainant have been examined so far. He has placed on record the custody certificate of the petitioner(s). The custody certificate would reflect that the petitioner(s) has suffered incarceration of about 01 year and 02 months.

7. After hearing counsel for the parties and perusing the record, it is deciphered that the complainant Ankit and the injured Saurabh both have been examined by the trial Court as PW2 and PW3. Their depositions have been placed on record. A perusal of the same would show that both of them have not supported the case of the prosecution. Besides the same, custody certificate would show that the petitioners have suffered incarceration of about 01 year and 02 months. The

material witnesses have already been examined. It further reflects that Gugan (petitioner in CRM-M-13524-2025) and Nishant (petitioner in CRM-M-61775-2024), are involved in another case and Sandeep (petitioner in CRM-M-16344-2025) is also involved in two other cases and all of them are in custody.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Thus, keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel(s) for the petitioner(s) succeeds in making out a case for grant of regular bail to the petitioner(s).

9. Accordingly, the present petition(s) is allowed and the petitioner(s) is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. However, if the petitioners do not furnish the bail bonds within 07 days from today, then their further custody period after one week will not be counted in this case.

10. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

11. A photocopy of this order be placed on the files of other connected cases.

09.07.2025

Parveen kumar

(RAJESH BHARDWAJ)
JUDGE

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