



CRM-M-56617-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-56617-2024

Reserved on: 31st July, 2025Pronounced on: 4th August, 2025

Rishipal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Anshuman Dalal, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 586 dated 31.12.2023 registered under Sections 307, 323, 506 read with Section 34 of IPC (Section 302 of IPC added later on) at Police Station Kalanaur, District Rohtak, Haryana.

2. The aforementioned FIR was registered on the basis of complaint submitted by the complainant Amrit Kumar alleging that the relations between his family and the family of the petitioner-accused Rishipal were strained for a long time and they used to keep a grudge against his family. On 30.12.2023, the complainant and his brother Amit were standing in the street when the petitioner started hurling abuses at them. The complainant resisted the same. Then suddenly, co-accused Rohit and Renu (i.e. son and wife of the petitioner) came out of their house armed with an



iron rod and sticks. The petitioner also brought a stick from his house and they opened an assault upon his brother Amit. Rohit struck a blow with the iron rod on the head of Amit. The complainant rushed to rescue of his brother but sustained injuries at the hands of the petitioner and co-accused Renu, who were making exhortations to kill the complainant as well as his brother. The clamour raised by the complainant attracted his family members and then the assailants fled while extending threats to kill them. The victim Amit was rushed to the hospital. Initially a case under Sections 323, 307 and 506 read with Section 34 of IPC was registered. Investigation proceedings were initiated. During the course of treatment, victim Amit expired. Offence under Section 302 of the IPC was added. Post mortem examination of the dead body of the victim was conducted. The petitioner and co-accused Rohit were arrested on 01.01.2024. They suffered disclosure statements admitting their involvement in the crime and got recovered the weapons used by them. Investigation now stands completed and the petitioner is facing trial for the commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The only role attributed to him is of causing injuries to the complainant with a *danda*. The injuries on the person of the deceased Amit have not been attributed to him but to the co-accused Rohit. The injury alleged against him has been opined to be simple in nature. Trial will take considerable time to conclude. His wife has been exonerated of the allegations. His further incarceration would not serve any useful purpose. No case for commission of offence of murder of the victim has been made out against him. He has clean antecedents. With these broad



submissions, it is urged that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned State counsel that keeping in view the grave nature of the allegations levelled against the petitioner, he does not deserve to be released on bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner in furtherance of his common intention with the co-accused is alleged to have caused injuries to the complainant and his brother Amit. The victim Amit died due to the injuries sustained by him. Though the injuries on the victim Amit might not have been specifically attributed to the petitioner, a reasonable inference can certainly be drawn from the allegations that the petitioner and the co-accused, in furtherance of their common intention to kill, had opened an assault upon the victim and his brother, i.e., the complainant. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

4th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned* : *Yes / No*
2. *Whether reportable* : *Yes / No*