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

**CRM-M No.299 of 2025  
Date of Decision: 25.02.2025  
Reserved on: 21.02.2025**

Pardeep Sharma

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. S.S. Nain, Advocate,  
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,  
for the respondent-State.

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**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:-

<b>FIR No.</b>	<b>Dated</b>	<b>Police Station</b>	<b>Sections</b>
239	11.08.2024	Quilla Panipat, District Panipat	115 (2), 118 (1), 118 (2), 3 (5) and 351 (3) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS")

2. As per the prosecution case, the accused Kuldeep @ Sonu and son of the complainant namely, Sumit Malik were working as Security Guards in same branch of HDFC Bank. On 10.08.2024, a verbal altercation had taken place between both of them on issue of performing duty in the Bank. On the same night, the accused Kuldeep @ Sonu along

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with the co-accused Sachin @ Lali, Sandeep Sharma and the present petitioner Pardeep Sharma reached outside the house of the complainant and called her son Sumit Malik who was reluctant but on the insistence of accused Kuldeep @ Sonu, he had gone outside. The complainant followed him. Within her sight, accused Sachin @ Lali caught hold of her son and accused Kuldeep @ Sonu and Sandeep Sharma started causing injuries to him with sharp edged weapons. The complainant raised clamour and then the present petitioner assaulted her by striking blows with a knife thereby injuring her hand. Then the assailants fled away while extending threats to kill. The thumb of right hand of Sumit Malik had been amputated. The injured were rushed to hospital and were treated. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 12.08.2024. The co-accused were also arrested. The investigation now stands concluded.

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 likely to take time. Only a simple injury on the person of the complainant has been attributed to him. The co-accused Sandeep Sharma and Sameer whose case is on similar footing, have been extended benefit of bail. On parity, the petitioner too deserves to be released on bail. He does not have any criminal antecedents. No useful purpose would be served by keeping him in custody any more. Therefore, it was urged that the petition deserves to be allowed.

4. Status report has already been filed by the respondent-State.

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Learned Deputy Advocate General, Haryana had argued that there are serious allegations against the petitioner who along with the co-accused had opened an assault upon the victims and had caused serious injuries to them. The thumb of right hand of the victim Sumit Malik had even been amputated. There is nothing on record to show that there would be any undue delay in conclusion of the trial. 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 and the co-accused are alleged to have opened an attack upon the son of the complainant as well as herself on the fateful night and are further alleged to have caused injuries to them. The injuries sustained by the complainant have been opined to be simple in nature and these injuries were attributed to the petitioner. The grievous injury on the person of victim Sumit Malik had been attributed to co-accused Kuldeep @ Sonu. The trial would take time. The further incarceration of the petitioner is not going to be of any use. The well settled proposition of law is that bail is the rule and jail is an exception. The accused Sandeep Sharma whose case is on similar footing has been extended benefit of bail. On parity, the petitioner too deserves to be given the same benefit. Keeping in view the facts and circumstances as enumerated above, the petition is allowed and the petitioner is 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.

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

25.02.2025  
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**(MANISHA BATRA)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No