

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-2158-2025  
Reserved on: 08.07.2025  
Pronounced on: 22.07.2025

Randhir Singh ...Petitioner

Versus

State of Haryana ...Respondent

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Vikram Singh Narwal, Advocate,  
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

\*\*\*\*\*

**ANOOP CHITKARA, J.**

FIR No.	Dated	Police Station	Sections
227	22.08.2024	Sadhaura, Distt. Yamuna Nagar	109(1), 115 and 3(5) of BNS, 2023 (Section 118(1) BNS added later on)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. In paragraph 11 of the bail petition, the accused declares that he has no criminal antecedents.
3. The facts and allegations are being taken from translated copy of FIR annexed with the bail petition as Annexure P-1, which reads as follows:

*“Statement of Suresh Kumar age 32 years S/o Ajmer Singh resident of village Harioli police station Saha district Ambala. Mobile no. 80532xxxx stated that I am a resident of the above name and address. And I do manual labour work. My maternal uncle lives in village Pahadipur. My maternal uncle's son Sumit son of Randhir Singh resident of village Pahadipur married my maternal aunt's daughter Rita 4 years ago in a love marriage. Due to which all of us relatives also had panchayats among ourselves. And Sumit and his parents started having resentment with all of us relatives due to this marriage. On 20.08. 2024, at around 4 pm, I came to my maternal uncle Jagdish resident Pahadipur's house for a visit. At around 10 pm, I and my maternal uncle's son Rakesh and all of us were eating food on the roof of the other maternal uncle's son Mukesh's house. Sumit had seen me. After having dinner, I was going to my other maternal uncle's son. Rakesh's house to sleep. When I reached in front of Sumit's house in the street, Sumit caught me and took me to his house and said that you have made our life difficult. Today we will finish you off. Then from behind, Sumit's father Randhir attacked my head with an axe in his hand.*

*And Sumit slapped and punched me and Sumit took the axe from his father Randhir and hit me on the head. Then Sumit swung the axe at me. I put my hand forward to protect myself and it hit the thumb of my left hand. A lot of blood started flowing from my head. I shouted, he killed me, "he killed me." Hearing my shout, my maternal uncle's sons Rakesh and Mukesh came to Sumit's house. Those who tried to free me, Randhir and Sumit also attacked them from behind. Sumit also got injured in this fight. And a huge crowd had gathered at the spot. And Sumit and his father Randhir fled from the spot with their axe. And my maternal uncle's son Rakesh took me to the government hospital Sadhora for treatment. From where the doctor referred me to Jagadhari after treatment. My family members brought me from Jagadhari to Nandra Hospital Ambala Cantt for treatment due to my deteriorating health. Where I am undergoing treatment. My maternal uncle Randhir Singh and his son Sumit, due to old enmity, dragged me from the street to their house and attacked my head with an axe with the intention of killing me. Legal action should be taken against them."*

4. Counsel for the petitioner submits that he would have no objection in case any stringent conditions this Court might put upon the petitioner including surrender of fire arms, if any and stay away 500 meters from the victim's property and in case, petitioner repeats the offence, where the sentence prescribes 07 years or more, he has no objection if the State files an application for cancellation of bail in the present FIR. He contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

5. The State's counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

*"12. ROLE OF PETITIONER-*

*On 20-8-2024, petitioner alongwith his son Sumit caused injury on the head of his nephew Suresh Kumar (injured) with Axe with intention to kill him.*

*13. EVIDENCE AGAINST PETITIONER:*

*The petitioner is named in the FIR by the injured Suresh Kumar. The petitioner also admitted his offence and his son Sumit (co-accused) got recovered Axe which was used in the offence."*

**REASONING:**

7. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. As per paragraph 6 of the bail petition, the petitioner has been in custody since 22.08.2024. As per the custody certificate dated 05.07.2025, the petitioner's total custody in this FIR is 10 months and 13 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage, subject to the compliance of terms and conditions mentioned in this order.

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioner's complying with the following terms.

12. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

13. Given the background of allegations against the petitioner, it becomes paramount to protect the victim, and their family members, as well as the members of society, and incapacitating the accused would be one of the primary options until the filing of the closure report or discharge, or acquittal. Consequently, it would be appropriate to restrict the possession of firearms. [This restriction is being imposed based on the preponderance of the evidence of probability and not of evidence of certainty, i.e., beyond a reasonable doubt; and as such, it is not to be construed as an intermediate sanction]. Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall surrender all weapons, firearms, and ammunition, if any, along with the arms license to the concerned authority within fifteen days of release from prison and inform the Investigator of the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and reclaim them in case of acquittal in this case, provided otherwise permissible under the concerned rules. Restricting firearms would instill confidence in the victim(s), their families, and society; it would also restrain the accused from influencing the witnesses and repeating the offense.

14. Given the nature of the allegations and the other circumstances peculiar to this

case, the petitioner shall not enter the property, workplace, and residence of the victim until the statements of all non-official and informal witnesses in the trial are recorded. This Court is imposing this condition to rule out any attempt by the accused to incapacitate, influence, or cause any discomfort to the victim. Reference be made to Vikram Singh v Central Bureau of Investigation, 2018 All SCR (CrI.) 458); and Aparna Bhatt v. The State of Madhya Pradesh, 2021:INSC:192, 2021 SCC Online SC 230.

15. The conditions mentioned above imposed by this court are to endeavor to reform and ensure the accused does not repeat the offense and also to block the menace of drug abuse. In Mohammed Zubair v. State of NCT of Delhi, 2022:INSC:735 [Para 28], Writ Petition (Criminal) No 279 of 2022, Para 29, decided on July 20, 2022, A Three-Judge bench of Hon'ble Supreme Court holds that "The bail conditions imposed by the Court must not only have a nexus to the purpose that they seek to serve but must also be proportional to the purpose of imposing them. The courts, while imposing bail conditions must balance the liberty of the accused and the necessity of a fair trial. While doing so, conditions that would result in the deprivation of rights and liberties must be eschewed."

16. In Md. Tajiur Rahaman v. The State of West Bengal, decided on 08-Nov-2024, SLP (CrI) 12225-2024, Hon'ble Supreme Court holds in Para 7, "It goes without saying that if the petitioner is found involved in such like offence in future, the concession of bail granted to him today will liable to be withdrawn and the petitioner is bound to face the necessary consequences."

17. **This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.**

18. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

19. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

20. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

22.07.2025

Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.