



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

235

CRM-M-24419-2025
Decided on : 23.07.2025

Krishan @ Ganja

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sahil Choudhary, Advocate
for the petitioner(s).

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. At the outset, learned State counsel has filed the custody certificate dated 22.07.2025 in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

2. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Krishan @ Ganja	291	10.07.2024	115(2), 351(3), 324, 333, 111(2b), 238C of BNS, 2023	Ghandhi Nagar	Yamunanagar

3. Learned counsel for the petitioner contends that the petitioner has been in custody since 29.08.2024. Even if the allegations are taken at their face value, the injury suffered by Suraj (brother of complainant Anjali



Kumari) is not grievous in nature. Apart from the offence under Section 111(2)(b) of the BNS, 2023, all other offences are triable by the Magistrate. It is further argued that the applicability of Section 111(2)(b) itself will be subject to adjudication during trial and, in its absence, the matter would be counted only of causing simple hurt. Investigation against the petitioner stands concluded and challan was filed on 06.11.2024. Despite framing of charges, none of the seven prosecution witnesses have been examined till date.

4. Referring to paragraph 7 of the status report dated 16.07.2025, learned counsel admits that petitioner though is involved in six other criminal cases, but clarifies that he has already been acquitted in three, two are still pending trial, and in one case, he is on bail. It is also pointed out that co-accused 'Lallan' was granted bail on 08.10.2024 and another co-accused, Vansh (a juvenile), was granted bail on 27.11.2024.

5. Though paragraph 8 of the status report mentions the injury caused by petitioner to be grievous in nature and weapon, which was used in the commission of offence, was also destroyed by the petitioner, but in the absence of the injury being declared dangerous to life, counsel contends that the petitioner's continued incarceration is not justified. He further submits that the petitioner is willing to strictly abide by any condition imposed by the Court and undertakes not to repeat the offence or influence any witness, failing which he shall face consequences including cancellation of bail.

6. On the other hand, learned State counsel while vehemently opposing the prayer of bail, submits that seeing the conduct of the petitioner in its entirety and his involvement in any other criminal cases, he does not deserve any leniency. However, he is unable to dispute the factual



submissions made by counsel for the petitioner.

7. Having considered the rival submissions and taking into account the facts and circumstances of the case, particularly the fact that the most of the offences are triable by the Court of learned Magistrate and investigation *qua* the petitioner is already complete, coupled with the fact that the petitioner has been in custody since 29.08.2024, this Court is of the view that the continued incarceration of the petitioner is not warranted at this stage. Accordingly, I deem it appropriate to grant the concession of regular bail to the petitioner.

8. Consequently, without making any comments over the merits of the case, the prayer for bail of the petitioner is **allowed**. petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

July 23, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No