



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

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**CRM-M No.31971 of 2025
Date of decision : 8.7.2025**

Manish**Petitioner**

Versus

State of Haryana**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Mukesh Yadav, Advocate, for the petitioner
Mr. Gurmeet Singh, AAG, Haryana
Mr. Karanvir Hooda, Advocate, for the complainant

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.44 dated 10.3.2025 under Sections 115, 118 (1), 3 (5), 351 (2) of the Bharatiya Nyaya Sanhita, 2023 (Sections 117 (2), 118 (2) of BNS, 2023 were added and Section 3 (5) of BNS deleted lateron), registered at Police Station Rampura, District Rewari.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'To The SHO Sahib, Police Station Rampura, Regarding Application for legal action against Manish, Chetan sons of Tarachand resident of Shahbazpur Istmurar Tehsil and District Rewari and other persons who is known as the accused mentioned above, Sir, it is requested that the



applicant Ramkirt son of Sh. Sheonarain resident of village Shahbazpur Istmurar Tehsil and District Rewari, presently residing at House No. 9-A Old Housing Board Rewari Tehsil and District Rewari is a very decent and law abiding person. On 6-3-2025, I had gone to the house of Harender son of Mage Ram of my village to attend the Kuwa puja Ceremony and I had parked my vehicle at my ancestral house, when at around 9.10 am, I was going towards my ancestral house after having food, Krishna Kumar son of Shish Ram resident of Mamdiya Thethar Chowki No.11 was with me. When we reached in front of house of Rakesh, the above accused surrounded me and attacked me with a sharp weapon. Manish attacked my head from behind with a sharp weapon in his hand. Chetan attacked my left eye with a sharp weapon another person attacked me with a danda below on my left eye another person attacked me with a danda blow on my right elbow. When we shouted for help, they saw people coming from the function and ran away and the accused threatened that if you escape today, then we will kill you as soon as we get a chance. The reason for the enmity is that I had earlier filed a criminal case against Tara Chand father of accused Manish and Chetan, due to the same rivalry, the accused have attacked upon me with intent to kill. My brother Rajbir was also present in the same function. On receiving the information, he reached the spot and we called ambulance 102 and also called 112. Then my brother got me admitted in Civil Hospital Rewari. Where I was treated and then referred to a higher centre. Then I got myself treated in AIIMS Delhi. Now after being discharged, I have come to the police station to give a complaint and I am still undergoing treatment. Hence, I request you to take legal action against the accused. I will be obliged.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 11.4.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question as there was an earlier dispute between the petitioner and the complainant-side. Learned counsel has further submitted that as per the FIR version only simple injuries were inflicted to the complainant which version was



improved by the police at the instance of the complainant later on. Learned counsel for the petitioner has further submitted that the complainant-side has aggravated their stand by implicating the brother of the deceased-Chetan as well on account of previous enmity. Learned counsel has further argued that the petitioner is a man of clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 7.7.2025 in Court, which is taken on record.

Learned counsel for the complainant, while raising submissions in tandem with those raised by the learned State counsel, has submitted that the complainant has suffered four injuries in the attack at the hands of the petitioner and the co-accused. Learned counsel for the complainant has further iterated that in case the petitioner is released on bail, there is every likelihood that he may try to threaten the complainant as also other material prosecution witnesses.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 11.4.2025 whereinafter investigation was carried out and challan was presented on 28.5.2025. Total 10 prosecution witnesses have been cited but none has been examined till date. It is indubitable that completion of trial will take its



own time. The rival contention raised by learned counsel for the parties give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence. As per custody certificate dated 7.7.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of two months and twenty seven days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.



(vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

8.7.2025

Ashwani

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No