



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-47777-2025 (O&M)

Date of decision: 03.09.2025

Gaurav Kumar

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Parminder Singh, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana (through V.C.).

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 731 dated 30.12.2023, registered under Section(s) 148, 149, 212, 302 and 459 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 at Police Station Sector 32-33, District Karnal.

2. Briefly summarized, the case of the prosecution is that the present FIR was registered on the complaint of Kanwarpal, who is doing the work of labourer. It is alleged that on 29.12.2023 at about 06:40 pm, his son was sitting on the shop at his house and at that time 10-15 boys were indulging in fight and throwing stones on each other. When his son tried to stop them, all the boys came to his son namely Sonu and started fighting with him. One of said boys attacked his son with a knife and gave three blows and thereafter, they dragged his son into the street and gave several blows. At that time, his wife and his sister's sons as well as his neighbours



had reached at the spot. After seeing them, all of the boys fled away on their respective motorcycles from the spot alongwith their weapons. When the complainant's son was taken to the Civil Hospital, Karnal, he was declared brought dead by the doctor and an FIR was registered against the petitioner under Sections 148,149, 452, 302 IPC.

3. Learned counsel for the petitioner contends that the petitioner was not named in the FIR and he had been nominated in the present case on the disclosure statement of co-accused. He submits that no role has been attributed to the petitioner and he was arrested on 05.01.2024 and since then he has been in custody. He submits that the trial is at an initial stage, as none, out of the total 23 prosecution witness, has been examined so far. He further submits that the petitioner has no criminal antecedents and is not involved in any other case. He further submits that similarly placed co-accused/Prince Chauhan has already been granted the concession of regular bail by this Court, vide order dated 18.08.2025.

4. Learned counsel for respondent-State does not dispute the aforesaid factual aspects.

5. Heaving heard the learned counsel appearing on behalf of the respective parties and taking note of the custody already undergone by the petitioner, stage of the trial, criminal antecedents of the petitioner, similarly placed co-accused/Prince Chauhan already being granted the concession of regular bail by this Court, vide order dated 18.08.2025 and bearing in mind that the trial is not likely to be concluded in the near future, I deem it fit to allow the instant petition.



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6. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

03.09.2025*Mangal Singh*

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No