



CRM-M-40128-2025

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

(206)

CRM-M-40128-2025.
Date of Decision:-18.08.2025.

Rajesh Chander @ Rakesh Kumar Babli

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Dhivya Jerath, Advocate for the petitioner
(through VC).

Mr. Japjot Singh, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition is for grant of regular bail to the petitioner in case FIR No.302 dated 13.10.2024 (Annexure P-1), under Sections 115 (2), 118 (1), 118 (2) (added later on), 304, 74, 351 (2), 190 of the BNS, 2023, registered at Police Station City Hoshiarpur, District Hoshiarpur, Punjab.

2. Learned State counsel has filed short reply by way of an affidavit of Sh. Dev Dutt Sharma, PPS, Deputy Superintendent of Police, Sub Division City, District Hoshiarpur, on behalf of the respondent-State of Punjab along with Annexures R-1 and R-2 as well as the custody certificate. The same is taken on record.



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3. Learned counsel for the petitioner submits that the only allegation against the petitioner is that he tried to give a datar blow on the head of the mother of the complainant which admittedly did not hit her.

4. A perusal of the status report filed by the State demonstrates that six injuries were caused to the victim, however, none of the injuries has attributed to the present petitioner. A perusal of the custody certificate also demonstrates that the petitioner apart from being in custody for more than 01 month and 19 days as on 16.08.2025 in the present FIR, has absolutely clean antecedents.

5. On the oral request of the counsel for the petitioner, the present petition is treated to be read under Section 483 of the B.N.S.S., 2023.

6. In light of the above coupled with the fact that the petitioner is in custody since 28.06.2025 and the trial is likely to take time, no useful purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to the grant of concession of regular bail.

7. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail, if not required in any other case, subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:

- ❖ The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ❖ He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his



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absence.

- ❖ He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- ❖ He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case, the petitioner does not possess a valid passport, then he shall file an undertaking to the said effect before being released.

8. The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of the BNSS, 2023.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

10. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of the condition(s) of bail.

(ALOK JAIN)
JUDGE

August 18, 2025.

S. Sethi

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