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IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

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Decided on: January 14, 2025

Ravi @ Bagri

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Surinder Singh Duhan, Advocate,
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023, 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 hereunder:-

Name of Petitioner	FIR No.	Date	Section(s)	Police Station	District
Ravi @ Bagri, son of Ajit Singh	708	11.12.2016	120-B, 307, 34 & 341 IPC, and Sections 25, 54, 59 of Arms act, 1959 (Sections 148 & 149 IPC added later on)	Rohtak Sadar	Rohtak

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2. By referring to the judgment dated 23.03.2023 (Annexure P-2), passed by learned Additional Sessions Judge, Rohtak, learned counsel for the petitioner submits that there were total seven accused and during course of trial, petitioner – Ravi @ Bagri was declared as proclaimed offender. Further submits that trial proceedings qua all the other accused, namely, Sukhchain, Raj Kumar @ Shamu, Vicky @ Boxer, Ajit, Naseeb and Sumit, except the petitioner – Ravi @ Bagri, have been finalised and all of them have been acquitted of the charges framed against them, by the Trial Court by giving benefit of doubt.

This way, trial of the petitioner is now in progress. He is inside jail since 07.08.2024. Learned counsel also states that in the trial against the petitioner, the complainant/star witness – Manish @ Bhandari @ Rohit (PW-6), has already been examined on 16.11.2024 (Annexure P-4), and he also failed to support the case of the prosecution, in as much as, in his statement, dated 16.11.2024, the said witness has clearly stated that accused appearing through Video Conference is not the same who had blocked his way and fired upon him. Further stated that he (complainant) has no complaint against the accused.

Thus, learned counsel for the petitioner prays for grant of bail by submitting that chances of conviction of the petitioner are bleak and his further incarceration may prove detrimental to his future career.

3. On advance notice, Mr. Vikas Bhardwaj, Assistant Advocate General, Haryana, caused appearance, and filed custody certificate dated 13.01.2025, which is taken on record, and copy supplied to the learned counsel for the petitioner. Registry to tag the same at appropriate place.



Learned State counsel submits that the petitioner is inside jail in the present case for total period of 10 months and 27 days. He was accused in several other cases also, however, in most of them he is already ordered to have undergone the sentence or acquitted by the Court.

From the said custody certificate, it is noticed that other than present case, following cases were also registered against the petitioner:

Sr. No.	Detail of case	Status of case	Remarks
1	FIR No. 133, dated 05.04.2024, u/s 25(1-B)(A) & 29, Arms Act, Police Station Old Sabji Mandi, Rohtak	Trial pending	In jail
2	FIR No. 654, dated 01.10.2016, u/s 452, 506 & 34 IPC, Police Station City, Rohtak	Trial concluded	Undergone
3	FIR No. 686, dated 14.10.2016, u/s 148, 149, 452 & 506 IPC, Police Station City, Rohtak	Trial concluded	Undergone
4	FIR No. 619, dated 19.08.2016, u/s 229-A IPC, Police Station Civil Lines, Rohtak	Trial concluded	Undergone
5	FIR No. 09, dated 05.01.2014, u/s 148, 149 & 307 IPC, Police Station City, Rohtak	Trial concluded	Undergone
6	FIR No. 361/2018, u/s 174-A IPC, Police Station City, Rohtak	Trial concluded	Undergone
7	FIR No. 95/2014, u/s 148, 149, 323, 506 IPC, Police Station City, Rohtak	Trial concluded	Undergone
8	FIR No. 768, dated 12.11.2017, u/s 174-A IPC, Police Station City, Rohtak	Trial concluded	Undergone
9	FIR No. 672, dated 16.09.2010, u/s 323, 452, 427 & 34 IPC, Police Station City, Rohtak	Trial concluded	Acquitted
10	FIR No. 101, dated 30.01.2010, u/s 323, 342, 506 & 34 IPC and 25/54/59 Arms Act, Police Station City, Rohtak	Trial concluded	Acquitted
11	FIR No. 169, dated 10.04.2015, u/s 323, 341, 506 & 34 IPC, Police Station City, Rohtak	Trial concluded	Acquitted



4. On hearing respective counsel and recording their submissions, and also examining the record, this Court is of the view that once the complainant/star-witness - Manish @ Bhandari @ Rohit (PW-6), has already turned hostile and also by noticing the fact that other six accused have already been acquitted by the Trial Court, no purpose is likely to be served by keeping the present petitioner inside jail any longer in the present case.

5. In view of the totality of circumstances and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner in the present case.

6. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail in the present case, 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.

7. Needless to observe 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 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.

9. Looking at the custody certificate dated 13.01.2025, giving details of several other criminal cases, as noticed hereinabove, wherein the petitioner was involved, it is observed that in case the petitioner is



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found indulged in any other criminal activity in future, present bail order would be deemed to be cancelled in such eventuality.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 14, 2025
P Kapoor

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**