



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

CRM-M No.362 of 2025 (O&M)

Date of decision: 10.02.2025

Sukhjinder Singh Gujjar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sandeep S. Majithia, Advocate for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana
for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of bail pending trial to the petitioner in FIR No.261 dated 26.08.2023 (P-1), under Section 379 read with Section 34 of the Indian Penal Code, 1860 (*for short 'IPC'*) [Section 411 IPC added later on], registered at Police Station City, Ratia, District Fatehabad.

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- (2) Status report by way of an affidavit dated 06.02.2025 of Sh. Sanjay Kumar, DSP, Ratia, District Fatehabad, along with Annexures R-1 to R-3, has been filed. The same is taken on record. Copy thereof supplied to the opposite side. Registry to tag the affidavit at appropriate place.
- (3) Custody Certificate dated 09.02.2025 of the petitioner has been produced and which same is taken on record. Copy thereof supplied to the opposite side. Registry to tag the same at appropriate place.
- (4) Above FIR was registered on the basis of statement made by complainant-Ravi Kumar with the allegations that petitioner, along with co-accused, has stolen Maruti Swift Car, which was parked in a vacant plot, outside of his house, and sold it to co-accused Jagseer Singh for an amount of Rs.1 Lakh.
- (5) Contends that for attending the marriage ceremonies of brother-in-law, petitioner was granted interim bail by this Court vide order dated 20.01.2025 and he has not misused the concession. Also contends that after presentation of report under Section 173 Cr.P.C., charges were framed on 18.01.2025 and out of total 12 prosecution witnesses, none has been examined till date; thus, trial is likely to take sufficient long time.
- (6) The aforesaid factual position is duly acknowledged by learned State Counsel; but opposed the prayer of petitioner.
- (7) Heard learned Counsel for the parties and perused the paper-book.

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(8) Concededly, petitioner is in custody since 10.07.2024; investigation is already over and after framing of the charges, now prosecution evidence is going on. Out of total 21 prosecution witnesses, none has been examined till date; thus, trial will take sufficient long time.

(9) In view of the above, present petition is allowed. Petitioner be admitted to bail pending trial on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(10) Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

(11) The above observations may not be construed as an expression of opinion on the merits of the case.

(12) It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

10th February, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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