



108+230

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-27524-2025 in/and
CRM-M-1152-2025
Date of Decision:23.07.2025**

Mohit ...Petitioner
vs.
State of Haryana ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Mohit Rathee, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S.Shekhawat J. (Oral)**CRM-27524-2025**

1. Application is allowed as prayed for subject to all just exceptions.
Annexures P-8 to P-9 are taken on record.

CRM-M-1152-2025

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.259 dated 23.04.2024 registered under Sections 302, 34 of IPC, at Police Station Sector-10-A, Gurugram, Haryana.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case. In fact, the petitioner was neither present at the place of occurrence nor had participated in any manner. However, the prosecution had wrongly shown that the petitioner had caught hold of the deceased, namely, Avinash, whereas, the injuries were caused on the

chest of Avinash by Sandeep, co-accused. He further contends that Sandeep, co-accused has already been arrested by the police. Learned counsel further contends that during the course of trial, the complainant has been examined, however, he did not support the case of the prosecution. Even the prosecution has relied upon 20 prosecution witnesses and 05 of them have already been examined by the trial Court. Thus, the petitioner is not in a position to influence the witnesses of the prosecution.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had also participated in the crime and the petition deserves to be dismissed by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, it is a case of single stab injury, which is attributed to Sandeep, co-accused. The prosecution is yet to lead evidence before the trial Court regarding the involvement of the petitioner in the crime. He is stated to be in custody since 23.04.2024 i.e. for the last about 01 year and 03 months and the prosecution is yet to examine 15 more witnesses in the present case. Thus, the trial Court may not conclude the trial in near future.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) *The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*
- (ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*
- (vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

23.07.2025

hemlata

**(N.S.SHEKHAWAT)
JUDGE**

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