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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M- 2434-2025(O&M)
Date of decision:-28.04.2025

DALBIR
Versus
STATE OF HARYANA
... Petitioner
... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. P.K.Hooda, Advocate for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

SANJIV BERRY, J.(ORAL)
CRM-14518-2025

1. The instant application has been preferred by the petitioner under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for placing on record orders granting bail to the co-accused as Annexures P-4 and P-5.
2. Application is allowed, subject to all just exceptions. Annexure P-4 and P-5 are taken on record. Registry to tag the same at an appropriate place.

Main case

1. The instant petition has been preferred by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
289	29.07.2024	318(4), 336(3), 338, 340 and 61(2) of BNS	Sadar Gohana, District Sonipat



2. Arguments heard.

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that petitioner was not named in the FIR but was nominated on the disclosure statement of co-accused Amit, who has since been granted concession of bail vide order dated 14.02.2025 passed by Additional Sessions Judge, Sonapat (Annexure P-4). He contends that petitioner was arrested on 30.07.2024, after completion of investigation challan has already been presented in Court wherein prosecution has cited 19 witnesses and till date only 1 witness has been examined so far. He contends that the petitioner is not having any criminal antecedents and the conclusion of trial will take sufficient long time, hence prayed for grant of regular bail to the petitioner.

4. *Per contra*, learned State counsel referring to the reply submitted by the State has assailed these arguments and prayed for dismissal of the bail petition considering the serious nature and gravity of the offence.

5. After considering the rival contentions and perusing the record, it transpires that a secret information was received by the police that Amit alias Murkha and some of his companions who prepare fake documents and purchase vehicles, tractor and bikes and sell them outside, is coming in black colour Scorpio car with temporary number plate from Kakana Bhadari road. After some time alleged vehicle was seen coming and on seeing police party, he tried to turn the vehicle but police managed to apprehend the vehicle and on checking the alleged vehicle, fake documents were recovered and Amit was arrested and made his disclosure statement. On 30.07.2024



present petitioner was arrested on 20.08.2024. After completion of investigation, challan has already presented in Court wherein 19 witnesses have been cited by the prosecution and till date only 1 witness has been examined. Co-accused Amit has since been granted concession of bail vide order dated 14.02.2025 passed by Additional Sessions Judge, Sonapat (Annexure P-4). The conclusion of trial, to ascertain criminal liability, if any, of the petitioner will take sufficient long time, and also the fact that the petitioner is not having any criminal antecedents, no purpose would be served by detaining the petitioner any longer in custody.

7. In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending application(s) if any shall also stand disposed of

(SANJIV BERRY)
JUDGE

28.04.2025

Gyan

i)
ii)

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No