



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

211

CRM-M-5982-2025

Date of Decision: 25.04.2025

Hitesh @ Tikku

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.C. Shahpuri, Advocate and
Mr. Sandeep Kumar Rana, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS'), for grant of bail pending
trial to the petitioner in FIR No.23 dated 15.01.2024 under Sections
341,386,395,397 IPC and Sections 25 (1-B)(a), 27(1) Arms Act registered at P.S
DLF, Sector 29, Gurugram.

2. Status report filed by way of an affidavit dated 24.04.2025 of Vikas
Kaushik, HPS, Assistant Commissioner of Police, DLF, Gurugram on behalf of
respondent-State of Haryana is taken on record. Registry to tag the same at
appropriate place.

3. As per allegations, the petitioner along with co-accused snatched
Rs.1,26,000/- mobile-Samsung Fold-3 from the complainant on gun point and also
criminally intimidated him.



4. Contends that based on disclosure suffered by co-accused, the petitioner has been falsely implicated in the present case. He is neither named in the present FIR nor in another FIR No.581/2023. Apart that, there is 25 days delay in registration of the FIR and petitioner was not even present when alleged occurrence had taken place. Further contends that petitioner is in custody since 17.03.2024 and after completion of investigation, final report under Section 193 of BNSS was presented and charges were framed on 13.11.2024. Further contends that there are total 43 prosecution witnesses, but none has been examined so far and thus; conclusion of trial will take sufficient long time.

5. Learned State counsel, on instructions, duly acknowledged the above factual position, but he opposed the prayer on the ground that allegations are very serious in nature. He has produced custody certificate dated 24.04.2025 in Court today and according to which petitioner has suffered incarceration of 01 year, 01 month and 09 days.

6. Heard learned State counsel and perused the paper-book.

7. It transpires that the petitioner is in custody since 17.03.2024 and after investigation final report under Section 193 of BNSS was presented and charges were framed on 13.11.2024; therefore, conclusion of trial is likely to take sufficient long time. Moreover, it is not the objection of State that in case, petitioner is released on bail, he shall influence the witnesses and/or hamper the course of trial, in any manner; thus, his further incarceration would not serve any purpose.

8. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.



9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

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

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

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

25.04.2025
manoj

(Mahabir Singh Sindhu)
Judge