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

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**CRM-M-9275-2025 (O&M)
Date of Decision: 21.04.2025**

Jagbir

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Deepak Kundu, Advocate for the petitioner.

Mr. Ashok Sehrawat, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No.631 dated 13.10.2024, registered under Sections 115(2), 118(1), 351(3), 191(3) read with Section 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') [Section 118(2) of BNS added later on], at Police Station Samalkha, District Panipat.

2. Allegations are that petitioner along with other co-accused formed an unlawful assembly and in prosecution of the common object of the said assembly, caused injuries to *de facto* complainant-Praveen and his friend Rinku with sharp edged weapon with intention to kill them.

3. Contends that is in custody since 04.11.2024; final report under Section 173 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') has already been presented on 05.01.2025; charges were framed on 21.01.2025;



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but out of total 08 prosecution witnesses, none has been examined till date. Further contends that there are total six accused, and four of them have been granted bail pending trial by learned trial Court and one, namely, Monu, is granted bail by this Court on 31.01.2025 in CRM-M-4611-2025 (P-4). Again contends that there is no other criminal case pending against the petitioner. Lastly contended that conclusion of trial will take sufficient long time; thus, further incarceration of the petitioner would not serve any purpose.

4. *Per contra*, learned State counsel vehemently opposed the prayer while submitting that allegations against the petitioner are serious in nature; hence, he does not deserve the concession of bail pending trial.

5. Heard both sides and perused the paper-book.

6. Concededly, petitioner is in custody since 04.11.2024; final report under Section 173 Cr.P.C was presented on 05.01.2025; charges were framed on 21.01.2025; but out of total 08 prosecution witnesses, none has been examined till date. Apart that, it is not the objection raised by State that in case, petitioner is released on bail, he shall influence the witnesses or hamper the course of trial in any manner; thus, further incarceration of the petitioner would not serve any purpose.

7. 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.

8. 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).

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



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10. It is clarified that in case there is recurrence or 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.

21.04.2025
Rajeev (rvs)

(MAHABIR SINGH SINDHU)
JUDGE

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