



**229+244 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of decision:20.05.2025

(i) CRM-M-8411-2025

Pawan Kumar ...Petitioner

vs.

State of Haryana ...Respondent

(ii) CRM-M-24643-2025

Abhishek ...Petitioner

vs.

State of Haryana ...Respondent

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

Present : Mr. Rishav Kamboj, Advocate with
Dr. Pankaj Nanhera, Advocate
for the petitioner (in CRM-M-8411-2025).

Mr. Gourav Jain, Advocate
for the petitioner (in CRM-M-24643-2025)

Mr. Rupinder Singh Jhand, Addl. Advocate General, Haryana.

N.S.Shekhawat J.(oral)

1. This order shall dispose off above-said two petitions i.e. CRM-M-8411-2025, titled as “**Pawan Kumar Vs. State of Haryana**” and CRM-M-24643-2025 titled as “**Abhishek Vs. State of Haryana**”, whereby the petitioners have prayed for grant of regular bail to them in case FIR No.286 dated 15.10.2024 registered under Sections 61(2), 318(3), 318(4), 249(c), 241, 338, 336(3) and 340(2) of BNS, at Police Station Bass, District Hisar.



2. Learned counsel appearing on behalf of the petitioner-Pawan Kumar (in CRM-M-8411-2025) submits that the petitioner was neither named in the FIR nor any role has been attributed to him. He further contends that Ombir, the main accused was arrested at the spot, who had further disclosed the name of Ankit son of Satyawar and Ankit, son of Ram Mehar. Even during the course of investigation, the statements of Ombir were recorded, which have been annexed as Annexures P-2 and P-3 respectively and in none of the statement, the petitioner was named by Ombir. He further contends that during their statements, both Ankits had named the present petitioners as accomplices. The petitioner was arrested in the present case on 23.10.2024 and only a sum of Rs.65,000/- has been recovered from him. However, the said recovery does not connect with the commission of crime. Further, the challan has already been presented against the petitioner and he is the first offender.

3. On the other hand, learned counsel appearing on behalf of the petitioner-Abhishek (in CRM-M-24643-2025) has also raised similar arguments and submitted that there is no legally admissible evidence against him. Only a sum of Rs. 32,500/-, a mobile phone and many ATM cards are shown to have been recovered from him. Moreover, the petitioner was arrested on 24.10.2024 and the challan has been presented against him.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that 56 online complaints have already been received in different States against the petitioners and few more FIRs are likely to be registered against them. He further submits that the police had collected the sufficient evidence against both the petitioners, during the course of investigation and the petitions are liable to



be dismissed by this Court.

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

6. In the present case, both the petitioners are stated to be in custody for the last more than 07 months and the challan has been presented against them. At this stage, no doubt, the allegations levelled against both the petitioners are serious in nature, however, keeping in view their long period of incarceration, the present petitions are allowed and the petitioners are ordered to be released on bail subject to their 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 petitioners 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 them to disclose such facts to the Court or to any other authority.
- (ii) The petitioners shall remain present before the Court on the dates fixed for hearing of the case.
- (iii) The petitioners shall not absent themselves from the Court proceedings except on the prior permission of the Court concerned.
- (iv) The petitioners shall surrender their passports, if any, (if already not surrendered), and in case they are not holder of the same, they shall swear an affidavit to that effect.
- (v) The petitioners shall also file their affidavits before the concerned Court, mentioning their ordinary place of residence and number of mobile phone, which shall be used by them during the pendency of the trial. In case of change of place of residence/mobile number, they shall share the details with the concerned Court/learned Trial Court.
- (vi) In case, the petitioners involve 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 petitioners.

(viii) The petitioners shall report every 1st Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark their presence by making an entry in the rojnamcha. In case, they do not report on every 1st Monday to the concerned SHO, it shall be viewed seriously and the concession granted to them, shall be liable to be cancelled and the prosecution shall be at liberty to move an appropriate application in this regard.

(N.S.SHEKHAWAT)
JUDGE

20.05.2025

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