



CRM-M-9624-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-9624-2025
Decided on: February 24, 2025

Chamkaur Singh @ Kauri
.....Petitioner
Versus
State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gurdarshan S. Sidhu, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner	FIR No.	Date	Section(s)	Police Station	District
Chamkaur Singh @ Kauri s/o Gulab Singh, aged about 18 years	177	08.11.2024	121(1), 132, 190, 191(2), 224, 304 BNS, 2023, & S. 3 of the Prevention of Damage to Public Property Act, 1984 [S. 121(2) BNS, 2023 added, and Section	Rori	Sirsa



			304 BNS, 2023 dropped during investigation]		
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2. Learned counsel for the petitioner contends that as per prosecution story, on 07.11.2024 about 6.30 p.m., Haryana Roadways bus bearing registration No. HR-57-8836, belonging to Sirsa Depot, was plying on the route from Sirsa to Alika, which was driven by driver, namely, Subhash Chander and name of the conductor is Naresh Kumar. On the day of incident, co-accused Sandeep @ Latu, his brother Popi, Gurbinder, Pardeep, Mankha and 5-6 other boys armed with *dandas* reached there and caused injuries to the conductor Naresh Kumar and also tried to snatch the cash bag from him. When Naresh Kumar did not leave the cash bag, same got torned and thereafter, accused persons snatched the amount of Rs.30,000/- from the said bag. Apart this, the ticket machine and window panes of the bus were damaged by the accused persons. When the complainant, i.e. Driver of the bus, attempted to save Naresh Kumar, all the accused fled away along with the respective weapons by threatening the conductor and driver of the bus.

3. Learned counsel for the petitioner argues that the name of the petitioner does not appear in the FIR version and he has been dragged in the case on the basis of disclosure statement of co-accused namely Baljinder Singh @ Poppi. Test Identification Parade (TIP) has not been conducted, therefore, identification of the petitioner is in question and he is inside jail since 09.11.2024. After the completion of investigation,



challan has also been submitted. He further submits that petitioner is not accused in any other case also.

By referring the order of grant of bail, passed by this Court in CRM-M-5944-2025, titled as “Balbir v. State of Haryana”, dated 06.02.2025 (Annexure P-3), i.e. in the case of co-accused of the petitioner, learned counsel prays for grant of bail to the petitioner also, by applying the principle of parity.

4. On advance notice, learned State counsel puts in appearance and submits that offence under Section 304 of BNS, 2023 was deleted during investigation, because it has been revealed out that accused never succeeded in snatching the cash amount of Rs.30,000/-. Apart this, learned State counsel is not in a position to dispute any of the factual contentions addressed by the petitioner’s counsel.

5. After hearing the learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner. Trial is yet to start and culmination of the same is likely to take considerable time. Name of petitioner has emerged in the case on the basis of disclosure statement of co-accused and the burden is heavily thereupon the prosecution to prove the involvement of the petitioner in the crime.

6. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.



7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.
8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
9. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.
10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

February 24, 2025
Pkapoor

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: YES/NO