



CRM-M-9431-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-9431-2025
Decided on: February 24, 2025

Bhim Singh @ Bhima Singh
.....Petitioner
Versus
State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. R.N. Lohan, 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
Bhim Singh @ Bhima Singh s/o Momana Ram, aged about 38 years	0957	23.11.2018	279, 337 & 338 IPC	Assandh	Karnal

2. Learned counsel for the petitioner contends that as a result of road accident occurred on 20.11.2018 and on the basis of complaint lodged by complainant – Rahul, present FIR was registered against the truck driver and later on the petitioner was arrayed as an accused. He was arrested and granted bail. Due to some mis-understanding and noting down of wrong date, the petitioner could not appear before the learned trial Court on 25.09.2024. Consequently, bail was cancelled, bail bonds



were forfeited, and non-bailable warrants were issued against the petitioner on 14.10.2024. Thereafter, even proclamation was issued vide order dated 18.11.2024, for appearance of the petitioner on 17.02.2025. On coming to know about the same, the petitioner immediately surrendered in the Court on 22.01.2025. However, the bail applications filed by the petitioner before learned Judicial Magistrate Ist Class, Assandh, and later on in the Court of learned Additional Sessions Judge, Karnal, have been dismissed vide orders dated 23.01.2025 (Annexure P-1) and 30.01.2025 (Annexure P-2), respectively, merely on the presumption that the petitioner (accused) may jump the bail again.

Further submits that the FIR was registered in the year 2018. Thereafter, final report (challan) was filed on 20.04.2019 and after framing of charge, vide order dated 03.06.2019, trial is pending at the stage of prosecution evidence. No fruitful purpose will be served by keeping the petitioner behind bars for indefinite period. Thus, prays that concession of bail may be extended to the petitioner.

3. On advance notice, learned State counsel puts in appearance and unable to controvert any of the factual submissions addressed by learned counsel for the petitioner.

4. On being asked by the Court, there is no satisfactory reply with learned State counsel as to for what substantial reason further custody of the petitioner is going to serve any purpose to the prosecution.

5. I have heard learned counsel for the parties and gone through the record with their able assistance. After re-arrest, the petitioner is in custody since 22.01.2025. The petitioner is facing trial for the offences punishable under Sections 279, 337 and 338 IPC. The FIR was lodged in the year 2018 and the trial is pending at the stage of recording of prosecution evidence. By curtailing the liberty of the petitioner, he cannot be kept behind bars for indefinite period.

6. Considering the totality of circumstances, and the submissions addressed by both sides, and without expressing any opinion on the merits of the case, 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 here-in-above 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