



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-11120-2025
Decided on : 05.03.2025

Manak . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Himanshu Setia, Advocate for
Mr. Kushager Goyal, Advocate
for the petitioner(s).

Ms. Mayuri Lakhanpal, DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

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(s)	FIR No.	Date	Section(s)	Police Station	District
Manak	0177	08.11.2024	121(1), 132, 190, 191(2), 224, 304 of BNS, 2023 and 3 of Prevention of Damage to Property Act, 1984 (Section 304 of BNS deleted later on)	Rori	Sirsa

2. Prosecution story is that on 07.11.2024 at about 6.30 PM, bus bearing registration No.HR-57-8836 of Haryana Roadways Depot Sirsa, 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, Gulpinder, 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 though the petitioner is named in the FIR, at the instance of complainant/bus driver (who has not received any injury), but neither specific role nor any injury has been attributed to petitioner. The injury, which is grievous in nature, has been attributed to main accused – Baljinder (juvenile). Test Identification Parade (TIP) has not been conducted, therefore, identification of the petitioner is in question and he is inside jail since 06.01.2025. After the completion of investigation, challan has also been submitted. He further submits that petitioner is not accused in any other case also. Thus, prays for grant of bail.

In addition, learned counsel also submits that one of the co-accused i.e. **Balbir**, has been granted concession of regular bail by this Court vide order dated **06.02.2025**, passed in **CRM-M-5944-2025**, titled as, “**Balbir v. State of Haryana**” (Annexure P-3). Therefore, claiming parity, learned counsel prays for grant of concession of regular bail to the petitioner.

4. On advance notice, learned State counsel puts in appearance



and submits that offence under Section 304 of BNS, 2023 was deleted because during investigation, 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 both parties and carefully perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by the learned counsel for the petitioner. Furthermore, as the trial is yet to commence and its conclusion is likely to take considerable time, the Court deems it appropriate to consider all aspects of the matter. Besides, no specific role has been attributed to the petitioner in the FIR, which will place a significant burden on the prosecution to establish the petitioner's involvement in the alleged crime.

6. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here-above, 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-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

March 05, 2025
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*