



CRM-M-13626-2025

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

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**CRM-M-13626-2025
Decided on :23.07.2025**

Sahil @ Chay

. . . Petitioner(s)

Versus

The State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Dhruv Gupta, Advocate
for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.306 dated 09.10.2024, under Sections 305/331(4) of BNS (Section 317(2) of BNS was added lateron), registered at Police Station Mullana, District Ambala.

2. Learned counsel for the petitioner contends that all the offences in the present case are triable by the Court of learned Magistrate. It is further submitted that petitioner's co-accused, namely Raj Kumar, has been granted the concession of bail by the Duty Judicial Magistrate First Class (D/JMIC), Ambala, vide order dated 11.11.2024, and another co-accused, Yash, has also been granted bail by the same Court vide order dated 14.11.2024.



Counsel submits that the recovery of stolen articles/jewellery was effected from the petitioner as well as from the already bailed out co-accused, namely, Raj Kumar and Yash. Petitioner is in custody since 15.10.2024, i.e., for a period of about seven months, and since the required recovery has already been made from him, any further incarceration would serve no meaningful purpose for the prosecution.

It is further submitted that the challan has already been filed after the arrest of all the accused persons, but charges are yet to be framed. Therefore, the process of recording of the statements of prosecution witnesses has not yet commenced. In the light of above, petitioner prays for the grant of regular bail.

3. On the other hand, learned State Counsel, while opposing the prayer for bail, has produced the custody certificate in Court and submits that the petitioner is involved in four other criminal cases. Out of these, he has already been convicted in three, and in one case under the NDPS Act, the trial is still ongoing. The details of these cases are as follows:

i) FIR No. 177 of 2019, under Section 21(C) and 22 (C) of the NDPS Act, registered at Police Station Indri, Karnal – trial is in progress.

ii) FIR No. 811 of 2022, under Section 174-A IPC, registered at Police Station Indri, Karnal – petitioner has already undergone the sentence.

iii) FIR No. 312 of 2018, under Sections 457 and 380 IPC, registered at Police Station Indri, Karnal –petitioner has already undergone the sentence.

iv) FIR No. 308 of 2018, under Sections 457 and 380 IPC, registered at



Police Station Indri, Karnal –petitioner has already undergone the sentence.

Accordingly, learned State counsel prays for dismissal of the present bail petition.

4. Having considered the rival submissions and upon perusal of the record, it is observed that the offences in the present case are triable by the Court of the Magistrate. It is also noticed that co-accused, namely Raj Kumar and Yash, have already been granted the concession of bail. Furthermore, charges are yet to be framed, and the trial proceedings, including the examination of prosecution witnesses, have not yet commenced. In view of the slow pace of trial, it is evident that the proceedings are likely to take considerable time. Therefore, the personal liberty of the petitioner cannot be curtailed for indefinite period.

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.

5. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.



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6. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

7. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

23.07.2025

Rashmi

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