



CRM-M-14368-2025

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

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CRM-M-14368-2025 (O&M)

Date of Decision: 21.03.2025

Manoj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Neeraj Sansaniwal, Advocate for the petitioner.

Mr. Ashok Singh Chaudhry, Addl.A.G, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No.185 dated 18.06.2023, under Sections 302, 449, 120-B and 148 read with Section 149 of the Indian Penal Code, 1860 (for short 'IPC'); Section 25 of the Arms Act, 1959 [Section 27 of the Arms Act added; whereas Section 25 of the Arms Act deleted later on], registered at Police Station Uklana, District Hisar.

(2) Above FIR was registered on the basis of statement made by complainant-Kamlesh (wife of deceased-Balwan Singh) with the allegations that petitioner, along with other co-accused, hatched a criminal conspiracy to eliminate Balwan Singh (since deceased) and in pursuance thereof, they shot the deceased, who died on the spot due to gunshot injuries, when he was present in his Hotel.

(3) Contends that petitioner is in custody since 18.06.2023; co-accused, namely, Randhir @ Dhira with similar allegations has already been

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granted the bail pending trial by this Court vide order dated 17.02.2025(P-2) passed in CRM-M-21412-2024. Also contends that *de facto* complainant-Kamlesh (wife of deceased) as well as both the eyewitnesses, namely, Pardeep & Manoj Kumar (PW-3 to PW-5, respectively) have turned hostile and no one is supporting the charges against the petitioner. Lastly contends that out of total 32 prosecution witnesses, only 06 have been examined till date; thus, trial is likely to take sufficient long time; hence, further incarceration of the petitioner would not serve any purpose.

(4) *Per contra*, learned State Counsel, on instructions, is not able to dispute that the *de facto* complainant as well as both the eye-witnesses have turned hostile; but he opposed the prayer on the premise that allegations against the petitioner are very serious in nature.

(5) Heard learned Counsel for the parties and perused the paperbook.

(6) As petitioner is in custody since 18.06.2023; *de facto* complainant as well as both the eye witnesses have turned hostile and out of total 32 prosecution witnesses, only 06 have been examined till date; thus, trial is likely to take sufficient long time. Moreover, this is not the objection raised by learned State Counsel that in case petitioner is released on bail, he is likely to hamper the trial or pressurize the prosecution witnesses in any manner. Hence, in such a scenario, further incarceration of the petitioner would not serve any purpose.

(7) Consequently, present petition is allowed. Petitioner be admitted to bail pending trial on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(8) Petitioner shall fully co-operate with the learned trial Court

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without seeking any unnecessary adjournments.

(9) The above observations be not construed as an expression of opinion on the merits of the case.

(10) It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

21.03.2025

(MAHABIR SINGH SINDHU)

Rajeev (rvs)

JUDGE

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