

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

233

CRM-M-15607-2025

Date of decision: 16th July, 2025

Jagdish

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

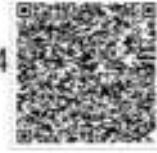
Present: Mr. Davinder Pal Soni Jura, Advocate for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 02 dated 03.01.2024 registered under Sections 392, 397 and 201 of IPC and Section 25 of Arms Act, 1959 at Police Station Ding, District Sirsa, Haryana.

2. As per the allegations, on 02.01.2024, the complainant-Sukhjeet Singh was present outside Sirsa bus stand and was waiting for a bus to go to Fatehabad. At that time, one Ajit Kumar had come there, who too had to go to Fatehabad. Both of them were waiting for some vehicle when three youths riding in a private vehicle arrived there. They stopped their vehicle in front of the complainant. On being asked by the complainant and Ajit Kumar, they disclosed that they were going towards Hisar and agreed to drop the complainant and his companion at their respective destinations. On boarding

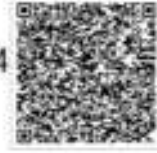


the vehicle, the complainant found that there were three occupants in the vehicle. Two of them had covered their heads with a blanket and faces with some cloth. When they reached near toll plaza, the driver slowed down the speed of the vehicle. One of them pointed a pistol towards Ajit Kumar and one of them put a knife on the abdomen of the complainant and they were asked to give their belongings to them. The complainant and Ajit Kumar gave their belongings as well as mobile phones to them and after being made to alight near the toll plaza, they fled. On his complaint, the aforementioned FIR was registered and investigation proceedings were initiated. The petitioner was arrested on 09.01.2024. Co-accused were also arrested. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He has been in custody since 09.01.2024. Trial will take considerable time to conclude. The co-accused have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, therefore, urged that the petition deserves to be allowed.

4. *Per contra*, learned State counsel who has advance notice of the petition and who has placed on record custody certificate of the petitioner and has submitted that the petitioner is a habitual offender. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. Rival contentions raised by learned counsel for the parties have been considered.



6. The petitioner along with the co-accused is alleged to have committed the offence of robbery/dacoity on the night of 02.01.2024. He has been in custody since 09.01.2024. Co-accused Ritesh Dhamija and Gaurav Singh have been extended benefit of bail. The involvement of the petitioner in some other cases cannot be considered to be the main reason for denying benefit of bail. The trial is likely to take sufficient time to conclude. The further incarceration of the petitioner would not serve any purpose. In view of the discussion made above, this Court is of the considered opinion that the petitioner deserves to be released on bail. Hence, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

16th July, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*