

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

2025:PHHC:115752



228

**CRM-M-20868-2025 (O&M)**

**Date of Decision: 28.08.2025.**

Aakash

...Petitioner.

Versus

State of Haryana

...Respondent.

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**CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

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Present: Mr. S.K. Rana, Advocate for the petitioner.

Mr. Pawan Kumar Garg, DAG, Haryana.

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**SUKHVINDER KAUR, J. (Oral)**

Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in FIR No.06 dated 04.01.2025, under Sections 331(6), 310(2), 311, 61(2) of BNS and Section 25/54/59 of Arms Act, registered at Police Station , District Sector-58, District Faridabad.

As per prosecution case, the aforesaid FIR was registered on the basis of complaint made by one Naveen Tyagi, submitting therein that on the intervening night of 3/4.01.2025, when he along with his family was sleeping in his house, six persons armed with country made pistol and knife entered his house by scaling the wall as the main gate was locked. They inflicted injury on the face of his daughter, who raised alarm and they woke up. Two of the aforesaid six persons made him and his mother sit in one room, while three of them went to the room of his wife. They forcibly snatched keys of two almirahs and took away cash along with jewellery

consisting of two necklaces, four rings, two chains, one gold coin and 2 ½ kg silver. One mobile phone was also taken away at gun point. Before leaving, they also threatened to kill them. On the basis of this statement, the FIR in question was registered against all of them.

Learned counsel for the petitioner contended that the petitioner is an autorickshaw driver and he was hired by co-accused and he is not connected with the offence in any manner in the present case. He had just dropped persons, who had hired him to the place where they desired and he was not having any knowledge that the persons who had hired him were having any intention to commit some offence at the place where they had been taken. He urged that he was made to park his autorickshaw at a distance from the place of commission of alleged offence. The money allegedly recovered from him was also implanted upon the petitioner. He submitted that as trial of the case is likely to take time and the petitioner is in custody since long, therefore, the petitioner be granted concession of regular bail.

Learned State counsel has opposed the petition and submitted that the petitioner in conspiracy with other co-accused actively participated in the commission of alleged offence. The petitioner had taken the other co-accused in his autorickshaw to the place of occurrence and after commission of the alleged offence again took them in his autorickshaw. The petitioner got recovered Rs.7,000/- out of Rs.10,000/- that had been received by him as his share, and as such he is not entitled to the concession of regular bail.

Heard.

The petitioner is alleged to be the driver of the autorickshaw in which the co-accused had been taken to the place of the alleged occurrence

and had been brought back after the alleged occurrence. No overt act or injury has been attributed to the petitioner. Even as per the allegations, the petitioner had not went inside the house of the complainant, where the occurrence allegedly took place. As per the custody certificate, the petitioner is in custody since 07 months and 21 days. As conclusion of trial is likely to take considerable time, so no useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted to regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

**(SUKHVINDER KAUR)**  
**JUDGE**

**28.08.2025.**

*Komal*

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|----------------------------|---|---------|
| Whether speaking/reasoned? | : | Yes/ No |
| Whether reportable?        | : | Yes/ No |