



CRM-M-21909-2025

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

CRM-M-21909-2025

Date of Decision: 26.08.2025

Ajay @ District

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rajesh Duhan, Advocate, for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.761 dated 18.08.2022 under Sections 148, 149, 323, 341, 452, 427, 507 IPC registered at Police Station Sadar Karnal.
2. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. It has been submitted that the FIR was lodged on the statement of the complainant, namely, Sandeep Kumar. He submits that initially the petitioner was arrested on 25.08.2022 and thereafter, learned trial Court enlarged him on bail vide order dated 23.10.2022. He submits that after having been granted bail, the petitioner was attacked by some persons and thus, he lodged an FIR No.95 dated 27.02.2023. He submits that the petitioner was badly beaten and he was admitted in Hospital. He submits that petitioner had a serious threat to his life and hence, he went to Punjab and it is because of the same, he could not appear before the trial court in the case, hence, his bail was cancelled on 31.07.2023. He has submitted that absence of the petitioner from the trial Court was totally unintentional and thus, he was declared as proclaimed offender by learned trial Court on



18.01.2024, however, he was unaware of the passing of this order. He submits that thereafter, by his own, the petitioner surrendered before the authorities on 11.03.2025 and since then, he is behind bars. He has submitted that the petitioner has completed incarceration of more than seven months, but there is no material progress in the trial. He has submitted that in the fact and circumstances of the present case, the petitioner deserves to be granted bail.

3. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. She has submitted that the petitioner was granted bail by learned trial Court, however, he violated the terms and conditions of the bail granted and thus, learned trial Court rightly cancelled his bail. She has submitted that the petitioner evaded his arrest and finally he was declared proclaimed offender vide order dated 18.01.2024. She submits that thereafter, since 11.03.2025, he is in custody. It is submitted that the investigation is complete and the challan is presented.

4. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was granted bail in the present case two months after the registration of the FIR. Learned counsel for the petitioner has submitted that one FIR at the behest of the petitioner was lodged after having been granted him bail, where he was badly beaten. Custody certificate of the petitioner would show that the petitioner has suffered incarceration of 07 months & 14 days as on 25.08.2025. It further reveals that though the petitioner is involved in 3-4 other cases, however, he is on bail in those cases. The investigation is complete.

5. The veracity of the allegations would be assessed only after the



conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

6. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

26.08.2025

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Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No