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

CRM-M-22440-2025

Date of Decision:02.05.2025

RAHUL @ KAU

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vikas Bairagi, Advocate &
Mr. Abhimanyu Balyan, Advocate
for the petitioner.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.276 dated 17.06.2024, registered under Sections 147, 149, 323, 395, 427, 436, 452 of IPC, 1860, Police Station City Fatehabad, District Fatehabad.

2. Learned counsel for the petitioner contends that the FIR was initially registered against Aryan, Gulshan Kumar and Sagar. It was alleged that the three named accused had come with 20-25 more persons and had taken away Rs.3,00,000/- in cash and two mobile phones from the house of the complainant. He further contends that the petitioner was not initially named in the FIR nor any physical description was mentioned. He was arrayed as accused on the basis of the statement made by co-accused in police custody. The



petitioner was arrested in the present case on 17.07.2024. Moreover, the co-accused Pankaj has already been granted the concession of bail by this Court. He further submits that the challan has been presented against him, however, the trial has not formally started against him.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. He further submits that the petitioner is facing one more case, however, he is stated to be on bail in the said case.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. The petitioner is in custody in the present case for the last more than 09 months and challan has been filed against him. However, no witness has been examined so far. Moreover, Pankaj, a similarly placed co-accused has been admitted to bail by this Court. Thus, the further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

02.05.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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