



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

242

CRM-M-22485 of 2025
Date of decision: 21.07.2025

Roshan Chauhan alias Roshan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. Lakhwinder S. Sidhu, Advocate, for the petitioner.

Mr. Kamal Preet Bawa, DAG, Punjab.

H.S. GREWAL, J. (Oral)

1. The petitioner is seeking regular bail under Section 483 BNSS, 2023 in case FIR No.23 dated 19.01.2020, under Sections 326, 323, 506, 148, 149 IPC, 1860 (offence under Sections 326, 148, 149 IPC deleted and Section 307 read with 34 IPC added on 04.06.2020) registered at Police Station Division No.7 Ludhiana, District Ludhiana.

2. Learned counsel for the petitioner submits that the case of the prosecution is that petitioner was granted bail by Hon'ble Supreme Court vide order dated 08.10.2021 (Annexure P-5) for the offence mentioned in the FIR. Petitioner was appearing regularly before the trial Court. However, on 17.11.2023, he failed to appear before the trial court and thereafter, he was arrested on 10.08.2024. He is in custody for the last about 11 months and 9 days since his second arrest.

3. Learned counsel for the petitioner submits that the petitioner is in custody for the last 2 years, 5 months and 17 days as under trial. He



further submits that out of total 18 witnesses, only 1 has been examined so far.

4. Notice of motion.

5. Learned State counsel accepts notice on behalf of the respondent-State. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in the Court today, which is taken on record. As per custody certificate, the petitioner is in custody for 02 years, 05 months and 17 days. He, upon instructions, submits that out of 18 prosecution witnesses, only 1 has been examined so far.

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

7. In view of the above submissions of learned counsel for the parties and considering the custody period undergone by the petitioner after his second arrest and the fact that out of total 18 prosecution witnesses, only 1 has been examined so far; the continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned. In case, he does not appear before the trial Court on the dates on any reason whatsoever, his bail bond shall stand cancelled.



9. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of their bail.

(H.S. GREWAL)
JUDGE

21.07.2025
anil

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