

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

Date of Decision:29.05.2025

...Petitioner

...Respondent

2. Learned counsel for the petitioner contends that the petitioner had no concern with the alleged crime and has been falsely involved in the present case. Even he was wrongly declared as proclaimed offender on 10.02.2014. However, he was re-arrested in the present case on 07.02.2024. He further contends that the main accused, namely, Shokat, Hasan Mohamed, Nikka, Sakir and Jafu have been acquitted by the trial Court, vide order (Annexure P-6). By referring to order (Annexure P-5), learned counsel submits that similarly placed co-accused, namely, Rijju alias Rizwan has been granted the concession of bail by this Court, vide order dated 05.05.2025. Moreover, all material witnesses

have already been examined by the trial Court and his further custody will not serve any meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner was declared as proclaimed offender and may again abscond from the process of law. He further contends that five more criminal cases were ordered to be registered against the petitioner and he does not deserve the concession of bail by this Court.

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

5. In the present case, the main accused, namely, Shokat, Hasan Mohamed, Nikka, Sakir and Jafru have been acquitted by the trial Court, vide order Annexure P-6. Moreover, similarly placed co-accused, namely Rijju alias Rizwan has been granted the concession of bail by this Court vide order dated 05.05.2025 (Annexure P-5).

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, subject to the following conditions:-

- (i) *The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*
- (ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*

(iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*

(iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*

(v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*

(vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

(vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

29.05.2025

hemlata

(N.S.SHEKHAWAT)
JUDGE

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