



CRM-M-33437-2023

-1-

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

CRM-M-33437-2024 (O&M)

Date of Decision: 22.07.2025

Subhash @ Mogli

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. H.S. Randhawa Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Raman Chawla, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for grant of regular bail in case FIR No.973 dated 11.10.2022 under Sections 148, 149, 120-B, 307, 195-A IPC and Section 25 of the Arms Act, 1959 registered at Police Station HTM, Hisar, District Hisar.

2. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He submits that all the co-accused in the present case, are already on regular bail. He submits that the petitioner was granted interim bail by this Court vide order dated 30.11.2023 and he has never misused the concession of interim bail granted to him. He, thus, submits that the interim bail granted to the petitioner deserves to be made absolute.

3. Learned counsel for the complainant has opposed the submissions made by learned counsel for the petitioner. He submits that the petitioner is a habitual offender and because of the petitioner, the complainant is not able to appear before the Court.

4. On asking of this Court, learned State counsel has submitted that there is no complaint on behalf of complainant regarding the contention made. He has submitted before this Court that requisite protection would be



CRM-M-33437-2023

-2-

granted to the complainant and his appearance before the Court would also be ensured without any threat. On instructions, he has submitted that out of total 32 prosecution witnesses, 10 witnesses have already been examined in this case. Custody certificate of the petitioner has also been placed on record.

5. Heard. It is apparent that the petitioner is on interim bail since 30.11.2023. Objection raised by learned counsel for the complainant regarding protection, cannot be ignored. Hence, the respondent-State is directed to take every such action to ensure that the trial carries in a smooth atmosphere. The contentions raised by counsel for the complainant would be taken into consideration by the respondent-State. The custody certificate of the petitioner would reveal that the petitioner has already suffered incarceration of 01 year, 02 months and 05 days as on 21.12.2023 before the grant of his interim bail.

6 However, in the facts and circumstances of the present case, the interim bail granted to the petitioner vide order dated 30.11.2023, is made absolute subject to his already furnished surety/bail bonds before the trial Court and the same shall be treated as alive till the final disposal of the trial. The petitioner is directed to keep on appearing before the trial Court as and when required to do so and also to comply with the direction of the trial Court given by it during the pendency of the trial.

7. The petition alongwith pending application, if any, stands disposed of.

(RAJESH BHARDWAJ)
JUDGE

22.07.2025
sharmila

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