



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

229

**CRM-M No.33038 of 2025 (O & M)
Date of decision : 18.8.2025**

Mahesh Chhokar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Abhishek Chhoker, Advocate, for the petitioner

Mr. Gurmeet Singh, AAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.121 dated 4.4.2025, under Sections 305 and 331(3) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Matlauda, District Panipat.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Letterhead of Shri Geeta Mandir Sabha (Registered) No. CH-I/SGMS/MF Dated 4-4-2025 To, Respected sir, SE Civil (Colony) Estate Officer (XEN/CMD colony) Subject: Regarding theft of Hanuman ji's crown in Shri Geeta Mandir, Thermal Colony, Panipat Sir, the request is that there is a Hanuman temple in Shri Geeta Mandir Thermal Colony, in which a silver crown was placed on the idol of Hanuman ji. On which gold coating is done, which weighs about 850 grams, whose today's value is about Rs



80,000 to 90,000. Yesterday, on 3-4-2025, during the kirtan of Mata Rani in the temple, it was found that the crown has been stolen. We checked the footage of the CCTV camera installed in the temple, in which the thief was seen stealing the crown on 1-4-2025 at around 11:00 am, the pendrive of the video of which is attached. From the video footage, according to us the suspected person is Mahesh Chhokar S/o Mr. Rajendra Chhokar. Who is a resident of Sundar Nagar. Hence, we request you to take strict actions as soon as possible considering the involvement of the suspect in the video footage. And Hanuman ji's crown should be returned.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 4.4.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has iterated that the petitioner is a young man aged 26 years with no criminal antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 14.8.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 4.4.2025 wherein after investigation was carried out and challan stands presented on 15.5.2025. Total 18 prosecution witnesses have been cited out of which 7 already stand examined. It is thus indubitable that culmination of trial will take its own time. It is not in dispute that the trial emanating from the FIR in question is magisterial one. The rival contentions raised by learned



counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

As per custody certificate dated 14.8.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 4 months and 10 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the



Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.

(vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.
9. Ordered accordingly.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
11. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(SUMEET GOEL)
JUDGE

18.8.2025
Ashwani

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