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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.46386 of 2024
Date of Decision: 04.02.2025

Manjeet ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sanchit Punia, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
456	22.07.2021	HTM Hisar, District Hisar	380 and 457 of IPC

2. Adumbrated facts as emanating from the record are that the aforementioned FIR had been registered on the basis of complaint lodged by the complainant Ravindra Kumar alleging that on the night of

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21.07.2021, someone had committed theft of goods, articles and cash amount kept in his shop by breaking open the lock of the same and had escaped. After registration of FIR, investigation proceedings were initiated. During investigation, accused Vikas was arrested. He suffered disclosure statement admitting his involvement in the theft and also took the name of the present petitioner on the basis of which he was nominated as an accused. The petitioner was arrested on 05.08.2021. The petitioner and co-accused Vikas got recovered the stolen articles. They also admitted their involvement in several other cases. The co-accused Randhir was arrested on 04.09.2021. Offence under Section 411 of IPC was added. Investigation stands completed and the petitioner along with the co-accused is facing trial for commission of offences punishable under Sections 380, 411 and 457 of IPC.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was extended benefit of bail on 06.01.2022. During trial, he absented himself due to which his bail was cancelled and bonds were forfeited to the State. He was arrested on 09.10.2023 and is in custody since then.

4. It is further argued by learned counsel for the petitioner that his absence was not intentional. Now he is in custody since long. The subject offences are triable by Magistrate. The trial will take time to conclude. His further detention would not serve any useful purpose. Therefore, it is urged that he deserves to be extended benefit of bail.

5. Status report has already been filed by the respondent-State. It

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is argued by learned Assistant Advocate General, Haryana that the petitioner is a man of criminal antecedents since one more case under Section 379 of IPC had been registered against him. There are chances of his absconding again if extended benefit of bail. Therefore, it is urged that he does not deserve to be released on bail.

6. I have heard learned counsel for the parties at considerable length and have gone through the record.

7. The petitioner is in custody since 09.10.2023. The trial is likely to take time to conclude. His further detention would not serve any useful purpose. In view of the discussion as made above but without meaning to make any comment on the merits of the case, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal bonds with surety bonds by two sureties to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and further subject to the condition that till the conclusion of the trial, he shall appear before the concerned Police Station once on the first Monday of every month. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number to the learned trial Court and in case, any change in his address or mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance.

8. In case of violation of any of the above conditions, the

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jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

04.02.2025
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(MANISHA BATRA)
JUDGE

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