



234 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37966-2025
Date of Decision:24.07.2025

AMAN Vs. ...Petitioner
STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amandeep Saini, Advocate for the petitioner.
Mr. Jasdeep Singh, Addl. Advocate General, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.) for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of the First Information Report, as detailed here-under:-

Name of petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Aman	76	02.10.2024	308(4), 351(2) read with Section 3(5) of BNS, 2023	City Kurali,	SAS Nagar

2. Learned counsel for the petitioner contends that as per the case of the prosecution Sukhchain Singh is the main accused and name of the petitioner and similarly situated Vishal @ Sahil @ Selly was surfaced in the disclosure statement of accused-Sukhchain Singh. Learned counsel points out that the offences are tried by the Court of learned Magistrate and the petitioner was arrested on 03.10.2024 and then sent in judicial custody on 06.10.2024.

After investigation, final report under Section 193 BNSS was



presented on 29.11.2024, though charges were framed on 19.05.2025 but till date none of the prosecution witnesses have been examined out of total 19 prosecution witnesses. Prior to the registration of the present FIR, the petitioner was never involved in any other case, however subsequent to the involvement in the present case and being arrested on 03.10.2024, the police involved the present petitioner in FIR No. 37 dated 17.02.2025 for offences under Section 52 of the Prison Act, registered at Police Station City Rupnagar.

He further argues that, similarly situated co-accused Vishal @ Sahil @ Selly has already been granted concession of bail by Coordinate Bench of this Court vide order dated 09.07.2025 passed in CRM-M-10092-2025.

3. Aforementioned factual position has not been disputed by learned State counsel, however, he opposes the prayer for bail, saying that allegations are serious in nature. Learned State counsel has also filed the custody certificate dated 23.07.2025, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place. Copy thereof has been handed over to the counsel for the petitioner.

4. Concededly, no other criminal case is pending against the petitioner, he is arrested on 03.10.2024 and in judicial custody since 03.10.2024; after investigation, final report under Section 193 of BNSS was presented on 29.11.2024 and charges were framed on 19.05.2025; but out of total 19 prosecution witnesses, none has been examined so far, therefore, culmination of trial would likely to take considerable time. Moreover, it is



not the objection of State that in case petitioner is released on bail, he shall influence the witnesses and/or hamper the course of trial, in any manner, thus, his further incarceration would not serve any purpose.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here-above, I deem it appropriate to grant the concession of bail to the petitioner.

8. Consequently, without making any comments over the merits of the case, the prayer for bail of the petitioners is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate Maga Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

24.07.2025

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