

CRM-M-47799-2024
Date of Decision: 04.02.2025

YUDHVIR ... PETITIONER

VS.

STATE OF HARYANA AND ANOTHER .. RESPONDENTS

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STATE OF HARYANA AND ANOTHER **.. RESPONDENTS**

Present: Mr. Dhananjay Singh, Advocate
for the petitioner(s) through V.C.

Mr. Mohit Rathee, Advocate
for respondent No.2.

ANOOP CHITKARA , J.(ORAL)

FIR No.	Dated	Police Station	Sections
83	11.04.2024	Salhawas, District Jhajjar	148, 149, 302, 120-B, 212, 109 IPC

1. Common question of facts and law are involved in the present petitions as same are arising out of same FIR, so, all the three petitions are being decided together. For brevity, the facts are being taken from CRM-M-47799-2024.
2. Seeking cancellation of bail granted to respondent No.2 in the FIR captioned above, the petitioner had come up before this Court under Section 480(5)/483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS].
3. After arguing for considerable time, counsel for the petitioner submits that considering the serious nature of offence and also on the ground that bail of one of the accused has been rejected by this Hon'ble Court, the Sessions Court was not competent to grant bail to the similar placed co-accused. He further submits that

respondent No.2 may hamper evidence, threat petitioners and such apprehension are still alive.

4. Counsel for accused/respondent No.2 submits that there is not an *iota* of truth in the allegation against the accused. The bail was rightly rejected to some other accused in the same FIR against whom there was sufficient evidence. As such, learned Sessions Judge, rightly granted the bail to respondent No.2.

5. Counsel for the complainant further argues that the victim belongs to a weaker section of the society whereas the accused persons are highly influential and there is all likelihood that they would interfere with the investigation and hamper the trial.

6. Faced with this counsel for the second respondent submits that there is no objection in case this Court adds further conditions in the bail order and respondent No.2 shall comply the same in letter and spirit.

7. In the entirety of facts and circumstance, the petitions for cancellation of bail are disposed of by affirming the bail order but adding the following further conditions:-

- (i) Second respondent(s) shall surrender all his firearms, if any, within 15 days
- (ii) they shall not enter the property of the family of the deceased
- (iii) they shall not interfere in the trial in any manner, whatsoever
- (iv) they shall not seek a single adjournment.

8. Pending applications, if any, also stand disposed of.

04.02.2025
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(ANOOP CHITKARA)
JUDGE

Whether speaking/reasoned

: Yes/No

Whether Reportable

: Yes/No