

2025:PHHC:125366



CRM-M No.46402 of 2025

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

237

**CRM-M No.46402 of 2025
Date of decision : 11.9.2025**

Khusi Ram @ Sheenu

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Deepak Agrawal, Advocate and
Mr. Sanjeev K. Sharma, Advocate, for the petitioner

Mr. Deepak Grewal, DAG, Haryana

Mr. Nagar Singh, Advocate, for respondent no.2

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.352 dated 2.11.2024, under Sections 310(2), 311 of Bharatiya Nyaya Sanhita, 2023 and Sections 25/28 of Arms Act, 1959, registered at Police Station Sadar Narwana, District Jind.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'To, S.H.O. Police station Sadar Narwana, Sir the applicant submitted that I am resident of ward no. 3 Gupta Colony, Chandigarh Road Tohana, tehsil Tohana district Jind and submitted that on dated 29/30-10.2024 time about 2.30 a.m. after loading Sofas on my Chhota Hathi from the house



ward no. 3 Gupta Colony Chandigarh Road Tohana, I was going to village Ladwa district Kurukhetra. On the way ahead village Kharwal near drain 7/8 boys were standing with a black color Scorpio car. They started chasing my tempo after getting in there Scorpio car and village Nehra on some distance, they stopped their Scorpio car after standing it before my tempom and two unknown boy them kept illegal weapons on my chest and started telling me to give them whatever I have. To save my life, I gave my mobile to the accused. After that the accused started abusing me and all of them had sticks in their hand and they started fighting and scuffling with me and they took out about Rs. 16000/- from my pant pocket and ran away and while leaving they threatened me that if I tell anyone then they will kill me. My mobile is Real-me 9i whose IMEI number is 860756050514831 and 86076050514823 in which my sim no. is 8929311048. When I chased all the accused, all the accused fled from the spot and I could not see them anywhere. I made enquires in the vicinity and kept search for them till today but could not find anything about the accused. The mobile had my and my family's personal data pictures and videos and banking related information which all the accused can misuse at any time and can also use it at any other place. You are requested to trace all the accused after investigation and take stick legal action against them under various sections and get my stolen mobile and around 16000/- Rupees recovered from all the accused. Sd/- Gulashan Kuar son of Hari Chand resident of ward no. 3, Gupta Colony, Chandigarh road, Tohana district Fatehabad, 89293 11048.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 19.2.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further argued that the FIR-complainant has sworn an affidavit dated 5.7.2025 (copy whereof has been appended as Annexure P-2 alongwith this petition). Learned counsel has further argued that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.



4. Reply by way of affidavit of Kamaldeep Rana, HPS, Deputy Superintendent of Police, Narwana, District Jind, has been filed in Court today by the learned State counsel. The same be kept on record. Copy thereof has been furnished to learned counsel for the petitioner. Learned State counsel while raising submissions in tandem with the said reply 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 10.9.2025 in Court, which is taken on record.

Complainant has caused appearance through his counsel. The veracity of the affidavit dated 5.7.2025 (copy whereof has been appended as Annexure P-2 alongwith the present petition) has been vouched for.

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

6. The petitioner was arrested on 19.2.2025 wherein after investigation was carried out and challan stands presented on 14.5.2025. Total 32 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that conclusion of the trial will take its own time. The rival contentions raised at Bar; including the veracity/weightage required to be attached to the affidavit dated 5.7.2025 (copy whereof has been appended as Annexure P-2 alongwith the present petition); shall be gone into 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 10.9.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 6 months and 19 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/Illaq 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.

(SUMEET GOEL)
JUDGE

11.9.2025
Ashwanii

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