

2025.PHHC.160134



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

CRM-M-47623-2025 (O&M)

Reserved on : 14.11.2025

Pronounced on : 19.11.2025

Rizwan @ Rijwan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Rahul Chauhan, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J.

1. This petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No. 347 dated 28.12.2024, registered under Sections 309(4) and 61(2) of BNS, 2023 and Section 25 of the Arms Act, 1959 at Police Station Chhachrauli, District Yamuna Nagar.

2. As per the allegations, on 28.12.2024, the complainant, who was running a jewellery shop, was closing his shop and was about to leave for his house when three unknown youths reached there on a bike. After extending threats to him and snatching his bag containing silver and gold ornaments as well as cash amount of ₹5,000, they escaped. On the complaint lodged by the complainant, the aforementioned FIR was registered. Investigation proceedings were initiated. During investigation, the accused Pawan alias Shubham and Inayat were arrested on 01.01.2025. They were interrogated and suffered disclosure statements admitting their involvement in the crime and

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got recovered some of the stolen jewellery. On their nomination, the present petitioner and co-accused Bisham Singh @ Fauji were nominated as co-accused and were arrested on 03.01.2025. In pursuance of the disclosure statement suffered by the present petitioner, 43.71 grams of looted gold and the mobile phone used in the offence were recovered. Even a gold ring was recovered at his instance. The same were taken into possession. The petitioner further got recovered one country-made pistol and two cartridges. Investigation now stands completed and the petitioner, along with the co-accused, is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 03.01.2025. A false recovery has been planted upon him. He was not named in the FIR. The trial will take considerable time to conclude. His continued detention would not serve any useful purpose. Co-accused Inayat and Pawan @ Shubham have been extended the benefit of bail. On parity, he too deserves to be granted the same benefit. It is, therefore, urged that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that keeping in view the gravity of the allegations, coupled with the fact that the petitioner is a habitual offender being involved in 15 more cases, and that there are chances of his committing similar offences or intimidating the witnesses, the petitioner does not deserve to be extended the benefit of bail.

5. This Court has heard the rival submissions.

6. The petitioner, along with the co-accused, is alleged to have committed the offence of robbery at pistol-point and snatching money, gold, and silver articles from the complainant. He is in custody since 03.01.2025.

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The trial has commenced but will take time to conclude since no witness has been examined so far. The co-accused, whose case is on parity, have been extended the benefit of bail. The petitioner cannot be denied the benefit of bail due to his involvement in other cases. Taking into consideration the above-discussed facts, but without meaning to make any comment on the merits of the case lest the same prejudice the trial in any manner, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be released on bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned and on the following conditions:-

- (i) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) he shall deposit his passport, if any, with the learned trial Court and shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) he shall appear before the learned trial Court as and when directed.
- (iv) he shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.
- (v) the petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

7. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

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8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

19.11.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No