



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

106

CRM-M-57169-2024 (O&M)
Date of Decision: 21.04.2025

Hanif

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Pratham Sethi, Advocate,
Mr. Kanishk Sarup, Advocate for the petitioner.

Mr. Ashok Sehrawat, DAG, Haryana assisted by
ASI-Sandeep Kumar.

Mr. Omkar Chhokar, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No.194 dated 01.04.2024 (P-1), registered under Sections 323, 506 and 148 read with Section 149 of Indian Penal Code, 1860 (for short 'IPC') [Section 308 read with Section 34 IPC added and 148 read with Section 149 IPC deleted later on], at Police Station Industrial, Sector 29, District Panipat.

2. Allegations are that petitioner alongwith co-accused in furtherance of their common intention gave beatings and inflicted injuries to the complainant party.



3. Contends that petitioner is in custody since 22.05.2024. After investigation, challan has already been presented on 10.07.2024 and charges were framed on 24.09.2024, but out of 24 prosecution witnesses, only 02 have been examined till date and both of them have turned hostile; thus, trial is likely to take long time. Also contends that offence under Section 308 read with Section 34 IPC was added after a period of 17 days. Lastly contended that none of the injuries has been attributed to the petitioner.
4. Learned State counsel is not able to dispute the above factual position.
5. On the other hand, learned counsel for the complainant has vehemently opposed the prayer of petitioner.
6. Heard learned counsel for the parties and perused the paper-book.
7. Since, petitioner is in custody since 22.05.2024; challan was presented on 10.07.2024; charges have been framed on 24.09.2024; but out of total 24 prosecution witnesses, only 02 have been examined till date and both of them have turned hostile; thus, trial would take sufficient long time. Hence, further incarceration of petitioner would not serve any purpose.
8. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
9. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).
10. The above observations be not construed as an expression of opinion on the merits of the case, in any manner.

11. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

21.04.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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