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

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CRM-M-57392-2025 (O & M)

Date of decision: 01.12.2025

ANKIT

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Balraj Gujjar, Advocate,
for the petitioner.

Mr. Gautam Kaile, DAG, Haryana.

Ms. Pallavi Babbar, Advocate,
for the complainant.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 of BNSS, is for grant of regular bail to the petitioner in case FIR No.690 dated 03.11.2022, registered under Sections 323, 302, 120-B and 201 IPC, at Police Station Surajkund.

2. Learned counsel contends that the petitioner has been in custody for 3 years and 18 days. He alleges false implication. He was named alongwith Ajay and Robin alias Ravi, who have been granted bail, vide orders dated 03.05.2024 and 15.01.2024, respectively. The petitioner and the deceased were cousins and the alleged incident had occurred at the spur of moment without any pre-mediation and intention with regard to

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commission of the offence. Charges were framed on 24.05.2023, 4 material PWs, including 2 eye-witnesses, who have not supported the prosecution case, stand examined out of 29. This Court, vide order dated 10.11.2025, granted him interim bail, but he has not misused the same and surrendered on the stipulated date. He is not involved in any other case.

3. The custody certificate dated 28.11.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 3 years and 18 days.

4. Learned State counsel assisted by learned counsel for the complainant opposes the bail on the ground that there is a CCTV footage which clearly shows the petitioner's presence at the spot and the complainant has supported the prosecution version while two other eye-witnesses being his uncles have turned hostile. However, he is unable to controvert the submissions with regard to stage of the case and the petitioner being not involved in any other case and the co-accused having been enlarged on bail.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 3 months and 18 days; not involved in any other case and the co-accused are on bail; charges stand framed on 24.05.2023, out of 29 PWs, 4 including the complainant and eye-witnesses have been examined, the trial is likely to take a considerable time and further incarceration of the petitioner would

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be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

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8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

01.12.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No