2025:PHHC:055863

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

CRM-M-60172-2024
Date of Decision:30.04.2025

Anup …Petitioner

vs.

State of Haryana …Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Pardeep Sihmar, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

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N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.996 dated 14.09.2023 registered under Sections 34, 341, 394, 506 of IPC (Sections 325 and 120-B of IPC added later on), at Police Station HTM, Hisar, District Hisar.

2. Learned counsel for the petitioner contends that the petitioner was not initially named in the FIR nor there is any averment made in the FIR to connect him with the commission of crime in any manner. In fact, the petitioner is a young boy, aged about 21 years and has brilliant academic record. He further contends that even the petitioner was arrested in some other case and on the basis of the disclosure statement suffered by him in some other case, he was taken in custody in the present case also. He further contends that the petitioner was arrested in the present case on 14.09.2023 and is in custody for the last 01 year and 07 months. As per him, only five witnesses, out of total 24 witnesses, have been examined so far and further custody of the petitioner will not serve

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any meaningful purpose. Learned counsel further contends that three more FIRs were ordered to be registered against the petitioner, but he has already been acquitted in two cases, whereas, in third case, he is on bail.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner was arrested in the present case on 14.09.2023 and the prosecution has not been able to conclude the trial. However, only five witnesses, out of total 24 witnesses, have been examined so far and the trial is not likely to conclude in near future.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to 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, so as to dissuade him to disclose such facts to the Court or to any other authority.*
>
> *(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
>
> *(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*

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(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(N.S.SHEKHAWAT)
JUDGE

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

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