



CRM-M-61223-2024

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

CRM-M-61223-2024

Date of Decision: 28.08.2025

Rohit

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Narender Pal Bhardwaj, Advocate for
Mr. Surender Saini, Advocate, for the petitioner.
Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.28 dated 27.01.2024 under Sections 379-B, 427, 34 IPC, registered at Police Station City, Gohana, District Sonipat.

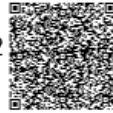
2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of complainant Narender. It was alleged that on 26.01.2024, at about 10:00 p.m., he was travelling in his car Axcent. At turning point Gohana, four unknown boys signalled him to stop and hence, he stopped the car. One of the boys asked that they have to go to village Jagsi. The complainant gave them lift. Thereafter, one of those boys put a rope around his neck and others started beating him. On presuming him dead, they snatched his car and ran away. Request was made to take legal action against the culprits. On the registration of the FIR, the investigation commenced. The complainant recorded his supplementary statement on 28.01.2024, wherein, he disclosed the names of the accused. The petitioner was arrested on 20.02.2024. He approached the Court of learned Sessions



Judge, Sonipat praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 19.07.2024. Earlier the petitioner approached this Court by way of filing CRM-M-41563-2024, however, the same was dismissed as withdrawn vide order dated 02.09.2024. Hence, the petitioner has again approached this Court praying for grant of regular bail by way of filing the present second petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that the alleged incident has taken place on 26.01.2024, whereas, the FIR was lodged on 27.01.2024. It is submitted that the complainant did not name the petitioner in his first statement, however, in his supplementary, he implicated the petitioner. It is submitted that the complainant and other material witnesses have been examined before the trial Court and there are material contradiction in their depositions. It is further submitted that the petitioner is behind bars since the date of his arrest. He submits that the petitioner is involved in one another case, however, he has been acquitted in the same. He submits that the trial is still in progress and thus, the right of the petitioner of speedy trial has been miserably defeated. He submits that thus, in the facts and circumstances of the present case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He submits that the petitioner was specifically named by the complainant. It is submitted that after snatching the car of the complainant, on the very same day, the



petitioner met with an accident with this car and he got injured in the same. It is submitted that the petitioner was shifted to the hospital from the spot of the accident by the police itself. On instructions, he has submitted that out of 16 prosecution witnesses, 10 witnesses, including the complainant and material witnesses, have been examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest i.e. 20.02.2024. As submitted before this Court, 10 witnesses, including all the material witnesses, have been examined out of 16 prosecution witnesses. The custody certificate would show that the petitioner has suffered incarceration of 01 year, 06 months & 08 days as on 27.08.2025. It further shows that the petitioner had faced prosecution in one case, however, he has been acquitted in the same.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion
on the merits of the case.

28.08.2025

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned :

Whether Reportable :

Yes/No

Yes/No