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

CRM-M-61758-2024(O&M)

Date of Decision:05.05.2025

Rijju alias Rizwan

...Petitioner

VS.

State of Haryana

...Respondent

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

Present : Mr. Imtiyaz Hussain, Advocate and
Mr. Himanshu Kalra, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J. (Oral)

CRM-5581-2025

1. Application is allowed as prayed for subject to all just exceptions.

Annexure P-5 is taken on record.

CRM-5583-2025

1. Learned counsel for the applicant-petitioner does not want to press the instant application.

2. Dismissed as not pressed.

CRM-M-61758-2024

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.106 dated 19.03.2013 registered under Sections 148, 149, 307 of IPC and Sections 25, 54, 59 of Arms Act, at Police Station Punhana, District Nuh.

2. Learned counsel for the petitioner contends that the petitioner was falsely involved in the present case and had no concern with the crime. Learned counsel further contends that the petitioner was wrongly declared as proclaimed offender on 10.02.2014, however, he is in custody in the present case since 08.12.2023. As per learned counsel, now the statement of PW-2 Juber Khan has been recorded by the trial Court and he did not identify the petitioner as one of the accused in the present case. Still further, other co-accused, namely, Sokat and Jafru have already been acquitted by the trial Court. Learned counsel further contends that all the material witnesses have already been examined by the trial Court in the present case and further custody of the petitioner will not serve any meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner has been declared as proclaimed offender and he may abscond from the process of law.

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

5. No doubt, the petitioner was on the run for almost 09 years, but he had again surrendered on 08.12.2023 and is in custody since then. Two other co-accused, namely Soket and Jafru have already been acquitted by the trial Court. Moreover, in the present case, all the material witnesses have already been examined by the trial Court and further custody of the petitioner will not serve any meaningful purpose.

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.*
- (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

05.05.2025
hemlata

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