



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CRM-M-62400-2025 (O&M)
Date of decision: 12.11.2025

Himanshu

....Petitioner

Versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Punit Malik, Advocate for the petitioner

Mr. Gautam Kaile, DAG Haryana

Mr. Manish Dhankhar, Advocate for the complainant

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.643 dated 22.09.2025, registered under Sections 69 and 315(2) of BNS at Police Station Sadar, Gurugram.
2. Learned counsel contends that the petitioner has been in custody for 1 month and 20 days. He and complainant were working together and has been falsely implicated in this case on account of a misunderstanding having arisen between them, which has since been resolved and a compromise dated 16.10.2025 has been arrived at placed on record as Annexure P-2 along with the affidavit. Challan was presented on 30.10.2025 and charges have not been framed. In all there are 14 prosecution witnesses. The petitioner is not involved in any other case.
3. Learned State counsel opposes the bail on the ground that there are specific allegations levelled against the petitioner by the complainant with regard



to the commission of offence. However, he is unable to controvert the submissions with regard to the custody, stage of the case and the petitioner being not involved in any other case.

4. Learned counsel for the complainant affirms the factum of compromise and has no objection for grant of bail to the petitioner.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 1 month and 20 days; not involved in any other case; challan stands presented on 30.10.2025, however, charges are yet to framed; there are a total of 14 prosecution witnesses, the trial is likely to take a considerable time, further incarceration of the petitioner would 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.

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.

(AMAN CHAUDHARY)
JUDGE

12.11.2025
M.Kamra

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