



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

209

CRM-63826-2024

Decided on : 07.01.2025

Udham Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Harmanjit Singh, Advocate and
Mr. Sandeep K. Tada, Advocate
for the petitioner(s).

Mr. Vikas Bhardwaj, AAG, Haryana
assisted by ASI Rakesh Kumar.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023, for grant of regular bail to the petitioner – Udham Singh, who has been booked for having committed the offence punishable under Sections 177, 193, 471, 120-B (Sections 416, 467 and 420 of IPC deleted during investigation) (Section 419 of IPC added later on by the investigation agency), in FIR No. 496, dated 03.09.2023, registered at Police Station Ambala City, Distt. Ambala, Haryana, during the pendency of trial.

2. Learned counsel for the petitioner submits that the only allegation against the petitioner is that he projected himself before the Court as a surety of the accused in the name of Mehma Ram. Resultantly, he is involved in the case for committing offences under Sections 177, 193, 471, 120-B (Sections 416, 467 and 420 of IPC deleted during investigation) (Section 419 of IPC added later on by the investigation agency). The



offences are triable by the Court of Magistrate.

3. Learned counsel for the petitioner further submits that petitioner is not involved as an accused in any other case of similar nature, and there are fairly arguable points during the course of the trial showing the innocence of the petitioner. He further submits that further incarceration of the petitioner is not worth in this case.

4. *Per contra*, learned State counsel opposes the prayer and submissions made by learned counsel for the petitioner. He has filed the custody certificate dated 06.01.2025, *qua* petitioner in Court, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

5. On being asked by the Court, learned State counsel further submits that after completion of investigation, challan has been submitted, however, charges are yet to be framed.

6. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner.

7. Obviously, the process of trial i.e. recording of evidence and conclusion of trial would take considerable time and the question of life and liberty of the petitioner cannot be put in abeyance for indefinite period.

8. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here-in-above, I deem it appropriate to grant the concession of bail to the petitioner.

9. Consequently, prayer made in the present petition is **allowed**.

Petitioner is ordered to be released on bail, subject to his furnishing



bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 07, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No