



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

229 (two cases)

CRM-M-64235-2024

Date of Decision: 30.04.2025

(1) Aasif

...Petitioner

Versus

State of Haryana

... Respondent

CRM-M-11399-2025

(2) Raja

...Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Pardeep Panwar, Advocate
for the petitioner in CRM-M-64235-2024.

Mr. Ranjeet Singh Chauhan, Advocate
for the petitioner in CRM-M-11399-2025.

Mr. Gurmeet Singh, AAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. This order shall dispose off two bail petitions, i.e., CRM-M-64235-2024 titled as “**Aasif Vs. State of Haryana**” and CRM-M-11399-2025 titled as “**Raja Vs. State of Haryana**”, whereby, the petitioners have applied for grant of regular bail under Section 483 of the BNSS in case FIR No.912 dated 09.11.2023 under Sections 34, 379-A of IPC (Annexure P-1) registered at Police Station Surajkund, District Faridabad.



2. Learned counsel appearing on behalf of the Aasif (petitioner in CRM-M-64235-2024) submits that the petitioner was not named in the FIR and has been involved without any evidence against him. He further contends that the petitioner was arrested on 16.12.2023 and challan was presented against him on 15.02.2024. He further contends that the petitioner was already arrested in some other case and was involved in the present case also illegally. He further contends that as per the allegations levelled by the complainant, a gold chain was snatched by the petitioner. However, the gold chain has already been recovered and the same has been given to the complainant on supardari. He further contends that only two witnesses out of 15 witnesses have been examined so far.

3. On the other hand, learned counsel appearing on behalf of Raja (petitioner in CRM-M-11399-2025) submits that the petitioner was arrested in the present case on 16.12.2023 and the trial has not made any substantial progress before the trial Court. He has also raised similar arguments before this Court.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner(s) on the ground that Aasif, (petitioner in CRM-M-64235-2024) is facing 11 more cases, whereas Raja, (petitioner in CRM-M-11399-2025) is facing 16 more cases. However, he admits that both the



petitioners are in custody for the last more than 01 year and four months.

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

6. No-doubt the petitioners are found involved in several other criminal cases, but the same is not the ground to deny the concession of bail to the petitioners, specially when they have been able to make out a case for grant of bail in the peculiar facts and circumstances of the present case. Reliance can also be placed in the matter of ***Prabhakar Tewari Vs. State of U.P., and another 2020(1) R.C.R. (Criminal) 831*** in which the Hon'ble Supreme Court has held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme Court in the matter of ***Maulana Mohd. Amir Rashadi Vs. State of U.P., and another 2012(1) R.C.R. (Criminal) 586.***

7. The petitioners are continuing in custody for the last one year and four months and the prosecution has been able to examine only two witnesses out of total 15 witnesses and the trial is not likely to conclude in near future. Thus, the further custody of the petitioners will not serve any useful purpose.

8. Without commenting on the merits of the case, the present petition is allowed. The petitioners are ordered to be released



on bail pending trial on their furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioners 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 them to disclose such facts to the Court or to any other authority.

(ii) The petitioners shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioners shall not absent themselves from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioners shall surrender their passport, if any, (if already not surrendered), and in case they are not holder of the same, they shall swear an affidavit to that effect.

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

(vi) In case, the petitioners are involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioner.



(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.

(viii) The petitioners shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark their presence by making an entry in the Rojnamcha. In case, they do not report on every 1st Monday before the concerned SHO, it shall be viewed seriously and the concession granted to them shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

9. In case, the petitioners violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to them shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

30.04.2025
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(N.S.SHEKHAWAT)
JUDGE

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