



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

220

CRM-M No.62356 of 2025 (O&M)

Date of Decision: 14.11.2025

Vishnu @ Monu

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH**Argued By:** Mr.Anmol Tuteja, Advocate for the petitioner.

Ms. Deepali Verma, AAG, Haryana.

SURYA PARTAP SINGH, J. (Oral):

The petitioner is facing trial for the commission of offence punishable under Section 51(b) of Disaster Management Act, 2005, 188 of IPC, 1860 and Section 22(c) of Narcotic Drugs & Psychotropic Substances Act, 1985 [Section 27-A added later on], vide FIR No.163 dated 04.05.2020, Police Station Sadar Fatehabad, District Fatehabad. He is in custody, and therefore, he has moved this petition under Section 483 of BNSS for grant of bail. This is first petition for bail moved by the petitioner after the cancellation of bail.

2. In nut-shell the background of case is that petitioner who was prosecuted for the abovementioned offences was afforded the benefit of bail by this Court vide order dated 25.05.2021. However on account of being in custody in some other case, he could not appear before the learned trial Court on the designated date, and therefore, his bail was cancelled on 10.08.2022. Consequently, his bail bonds were forfeited to the State. Thereafter, the petitioner surrendered before the learned trial Court, and on this occasion he



was given the benefit of fresh bail by the learned trial Court on 21.12.2022.

3. Now, this is the second occasion when the petitioner jumped the bail, and on this occasion when the petitioner surrender before the learned trial Court, his application for bail has been dismissed.

4. Notice of motion.

5. Since advance notice has already been served, Ms. Deepali Verma, AAG, Haryana, appears on behalf of respondent-State, and waives service. She has not opted to file reply in writing, but she has orally opposed the present petition.

6. Heard.

7. It has been contended by learned counsel for the petitioner that due to unavoidable family circumstances the petitioner could not appear before the learned trial Court on the date fixed, and that after surrender on 04.10.2025, he is in custody for a period of more than 1 month and 10 days. It has also been contended that if he is released on bail, he shall abide by the terms and conditions, and that the trial is not likely to be concluded in near future as out of 18 only 1 witness has been examined so far.

8. Per contra, the learned State counsel has argued that the petitioner does not have clean antecedent as he is already facing prosecution in three other case, including a case under Narcotic Drugs & Psychotropic Substances Act, 1985, As per learned State counsel this is the second occasion when the petitioner had misused the concession of bail, and therefore, he is not entitled for the benefit of bail.

9. The record has been perused carefully.



10. A perusal of the record shows that there are several factors which are required to be taken into consideration at this stage. They are:-

- i) that the petitioner is in custody for a period of 1 month and more than 10 days;
- ii) that the trial of the case is not likely to be concluded in near future;
- iii) The grounds mentioned in the application, showing his difficulty on the date on which he could not appear before the Court, is sufficient;
- iv) that detention of the petitioner in judicial lock-up is not likely to serve any purpose;
- v) that there is nothing on record to show that if released on bail, the petitioner is likely to tamper with the evidence, or influence the witnesses;
- vi) that there is nothing on record to show that if petitioner is released on bail, he will not participate/co-operate in the trial.

11. Taking into consideration the cumulative effect of all the aforesaid factors, it is hereby held that the petitioner is entitled for the concession of fresh bail and the present petition deserves to be allowed.

12. Accordingly, without commenting anything on the merits of the case, the present petition is hereby allowed. The petitioner is hereby ordered to be released on fresh bail on furnishing bail bonds and surety bond(s) by him to the satisfaction of the learned trial Court, subject to the following conditions:-

- i) that 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 from closing such facts to the Court or to any other authority;

- ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial; and
- iii) that the petitioner shall not leave India without prior permission of the trial Court.

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

(SURYA PARTAP SINGH)
JUDGE

14.11.2025
Manoj Bhutani

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