

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:164900



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CRM-M-63616-2025 (O&M)
Date of decision:27.11.2025

Gautam

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Dheerja, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The present one is the 2nd petition as filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case bearing FIR No.198 dated 30.12.2024, registered under Sections 324(5) and 326(g) of the BNS, at Police Station Sector 9, Ambala City, District Ambala. His previous petition bearing No.CRM-M-18819-2025 had been dismissed as withdrawn by this Court vide order dated 10.09.2025.

2. The above mentioned FIR was registered on the basis of a complaint moved by the complainant – Mukesh Kumar alleging that on 26.12.2024, he had parked his two activa vehicles in the varandah of his house. On the same night, on hearing noises, he found that both the vehicles had been set on fire by someone. He raised suspicion that the present

petitioner, who was pressurizing his niece to get marry with him had a hand in the occurrence and prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings were initiated. During investigation, a CCTV footage corroborating the incident had been collected, which showed the presence of the petitioner at the time of the occurrence. The petitioner was arrested on 10.02.2025. Investigation now stands completed and the petitioner is facing trial for commission of the aforementioned offences. Even the complainant stands examined.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. Trial will take considerable time to conclude. The petitioner is on bail in all the other cases as registered against him. His further detention would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

5. Notice of motion.

6. Learned State counsel has advance notice of the petition and has placed on record a copy of custody certificate of the petitioner. It is submitted by him that in view of the gravity of the allegations as levelled against the petitioner and the complainant's sworn deposition stating that the petitioner was seen in the CCTV footage committing the offence, the petitioner is not entitled to be granted the benefit of bail.

7. I have heard rival submissions made by learned counsel for the parties.

8. The petitioner is alleged to have set the vehicles belonging to the complainant on fire on the night of 26.12.2024, thereby damaging the same. He is in custody since 10.02.2025. The trial will take time to

conclude. His continued detention is not going to serve any useful purpose.

It is well settled proposition of law that bail is the rule and jail is an exception. Given the nature of the allegations as levelled against the petitioner, the period spent by him in custody and above discussed facts but without meaning to make any comment on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

27.11.2025*harjeet***(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No