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CRM-M-50442-2025 (O&M)**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(215)****CRM-M-50442-2025 (O&M)****Date of decision : 21.01.2026****SATPAL****... Petitioner****Versus****STATE OF HARYANA****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Ms. Poorvi Sharma, Advocate for
Mr. Manish Soni, Advocate for the petitioner

Ms. Himani Arora, AAG, Haryana

MANISHA BATRA, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case arising out of FIR No.167 dated 22.09.2017 registered under Sections 148, 149, 302 and 386 of IPC and Section 25 of the Arms Act, 1959 registered at Police Station City Sohna, District Gurugram. He had previously been extended benefit of bail by the learned Trial Court vide order dated 03.02.2020. He had absented himself during the course of the trial on 24.03.2021. Proceedings under Section 82 Cr.P.C. were initiated against him and he was declared as proclaimed person. On 27.10.2023, he was again arrested and is in custody since then.

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2. It is argued by learned counsel for the petitioner that he has been in custody for a period of over two years. All the material witnesses including eye-witnesses have not supported the prosecution version and have turned hostile. He could not appear before the Trial Court after the outbreak of COVID-19 since he had been extended benefit of bail during the COVID period itself. He was also kept in custody in some other matter and was lodged in Tihar Jail on 24.03.2021. The trial is going to take considerable time as only 18 out of 36 witnesses have been examined so far. His further detention would not serve any purpose. It is, therefore, urged that he deserve to be released on bail.

3. Status report and custody certificate have been filed. It is vehemently argued by the learned State counsel that there are chances of petitioner's absconding again, if extended the benefit of bail, since he had violated the terms and conditions of bail previously also and even declared as proclaimed person. It is, therefore, stressed that the petition does not deserve to be allowed.

4. This Court has heard the rival submissions made by counsel for the parties at considerable length.

5. The petitioner had been extended benefit of bail by the learned Trial Court vide order dated 03.02.2020. He had absented himself and now he is in custody for over a period of 04 years, 06 months and 22 days. The trial is likely to take time. The material witnesses have also turned hostile. Taking into consideration the period spent by the petitioner in custody and the above discussed facts but without meaning to make any comments on

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the merits of the case lest the same prejudice the trial in any manner, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing two personal and surety bonds to the extent of two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned and on the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) The petitioner shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) The petitioner shall appear before each and every date of hearing.
- (iv) The petitioner shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.
- (v) The petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.
- (vi) The petitioner shall surrender his passport, if any, furnish details of his cell phone and Aadhar card, and shall not change his mobile number(s) during the pendency of the trial.



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7. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

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

(MANISHA BATRA)
JUDGE

21.01.2026
Amit Sharma

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