



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

213

**CRM-M-3014-2025 (O&M)
Date of Decision: 28.03.2025**

Khurshid alias Katora

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Waqar Khurshid, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No.0019 dated 24.01.2024, registered under Sections 13(1) of Haryana Gauvansh Sanrakshan & Gausamvardhan Act, 2015 and Section 429 read with Section 34 of Indian Penal Code, 1860 & Section 25 of Arms Act, 1959, at Police Station Dhauj, District Faridabad.

2. Allegations are that petitioner along with other co-accused in furtherance of their common intention committed mischief by slaughtering a cow.

3. Contends that petitioner is in custody since 24.01.2024; after investigation, final report under Section 173 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C') was presented on 19.03.2024; charges were framed on 09.10.2024; but out of total 22 prosecution witnesses, none has been examined so far. Also contends that co-accused, namely, Sakir has



been granted pre-arrest bail by a Co-ordinate Bench on 22.07.2024 (P-5) and co-accused, namely, Asgar, Rizwan Khan and Sohil, have already been granted concession of pre-arrest bail by learned Additional Sessions Judge, Faridabad vide orders dated 01.02.2024 and 03.02.2024 (P-2 to P-4).

4. Learned State counsel, on instructions, has acknowledged the above factual position.

5. Heard both sides and perused the paper-book.

6. Concededly, petitioner is in custody since 24.01.2024; final report under Section 173 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C') was presented on 19.03.2024; charges were framed on 09.10.2024; but out of total 22 prosecution witnesses, none has been examined so far. It is also not in dispute that co-accused, namely, Sakir has been granted pre-arrest bail by a Co-ordinate Bench on 22.07.2024 (P-5) and co-accused, namely, Asgar, Rizwan Khan and Sohil, have already been granted concession of pre-arrest bail by learned Additional Sessions Judge, Faridabad vide orders dated 01.02.2024 and 03.02.2024 (P-2 to P-4) and there is no challenge to the orders till date by the State. Thus, further incarceration of the petitioner would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).

9. The above observations be not construed as an expression of opinion on the merits of the case, in any manner.

10. It is clarified that in case there is recurrence or any misuse of



concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

28.03.2025

Harish Kumar

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No