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

CRM-M-26380-2025

Date of Decision: 20.05.2025

HANIF @ HUNNY

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Sanyam Khetarpal, Advocate &
Ms. Kajal Chauhan, Advocate
for the petitioner.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.670 dated 08.11.2018, registered under Sections 379B of IPC, 1860 (Section 34/201 of IPC 1860 added later on), Police Station Sector 58, Faridabad.

2. The FIR in the present case was registered on the basis of the statement made by Rakesh Kumar son of Jagveer and the same has been reproduced below:-

*“To the Respected SHO Sir, Police Station Sector-58 Faridabad.
Respected Sir, It is requested that I, Rakesh Kumar, son of Shri
Jagveer, caste Jaat, resident of Aurangabad, Tehsil Hodal, District*



Palwal, resides here and have taken liquor contracts in Faridabad under the name of Teotia Finance. One of our liquor shops is in Sector-59 Ballabgarh. On which salesmen Vipin, son of Rajendra, resident of Mainpuri and Dharmendra, son of Mangulal, resident of Kannauj, UP, are there. Today morning around 4:00 AM, three young boys came in a car and lifted the shutter of the shop from the road and entered inside, beat up my salesmen, took approximately Rs.8500/- from the cash counter, 2 mobiles of the salesmen and 03 bottles of liquor and ran away. The unknown boys beat up my salesmen and snatched the money and ran away. After receiving information from the salesmen, I reached the shop. Now I have come to the police station to submit an application. Action should be taken on my application. SD/ Applicant, Rakesh Kumar, son of Shri Jagveer, caste Jat, resident of Aurangabad, Palwal, 9813499134.”

3. Learned counsel for the petitioner contends that the petitioner was earlier arrested in the present case and was granted the concession of bail on 18.06.2019 vide order Annexure P-2. Thereafter, the petitioner was regularly appearing before the trial Court on various dates. She further contends that on 20.02.2025, the petitioner moved an application for exemption from personal appearance as he had to travel to some other place, in connection with his business. However, the trial Court cancelled the bail of the petitioner and forfeited the bail bonds and warrants of arrest were ordered to be issued against him. She further contends that the petitioner surrendered on 01.05.2025 and is in custody since then. She further contends that the petitioner shall appear on each and every date of hearing before the trial Court and shall not remain absent without seeking prior permission of the Court.



4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

6. In the present case, admittedly, the petitioner was on bail earlier and due to non-appearance on 20.02.2025, his bail was cancelled and the bail bonds were ordered to be forfeited to state. Now, the petitioner is stated to be in custody since 01.05.2025.

7. Thus, taking a lenient view of the matter, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

8. The petitioner shall also file an affidavit before the trial Court that he shall appear on each and every date of hearing and shall not remain absent from the trial Court, without seeking permission of the trial Court.

20.05.2025

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(N.S. SHEKHAWAT)
JUDGE

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