



237

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

**CRM-M-21389-2025
Date of Decision:27.05.2025**

SACHIN KUMAR

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

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

Present : Mr. Akashdeep Singh, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, 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.4 dated 07.02.2025, registered under Section 7 PC Act, (Section 13(1)(b) read with Section 13(2) PC Act added later on) Police Station ACB Rohtak, District Rohtak.

2. Learned counsel for the petitioner contends that in the present case, the petitioner has been falsely involved by the complainant. Even the status of online application uploaded by the complainant would clearly establish that the petitioner had dealt with the file of the complainant in the present case and the same was forwarded to higher officers, without any delay. Even it has been alleged that the complainant had recorded the audio/video of demand of bribe, however, the mobile phone was not taken into possession by the police during



the course of investigation. Thus, it can never be stated that the petitioner had demanded or accepted any bribe from the complainant. The petitioner was arrested in the present case on 07.02.2025 and is in custody for the last more than 03 months. Even the challan has been presented against him and the trial has not even formally started against him.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner was apprehended by the police, while he was accepting the bribe from the complainant in the present case. Even a pen drive has been prepared from the mobile phone of the complainant and sufficient evidence has been collected against him. He has also filed status report by way of an affidavit of Deputy Superintendent of Police, ACB, Rohtak on behalf of the respondent-State and the same is taken on record.

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

5. No-doubt the allegations levelled against the petitioner are serious in nature, but the petitioner is in custody for the last more than 03 months. The challan has been presented against him and the police has cited 26 prosecution witnesses but no witness has been examined so far. Thus, the trial may not conclude in near future and further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to 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, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

7. 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.

27.05.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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