



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

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**CRM-M-2814-2025
Decided on : 17.02.2025**

Sanjay Kumar . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Krishan Singh, Advocate
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sanjay Kumar	294	01.07.2024	379A, 201, 34 of IPC	Sadar Yamuna Nagar	Yamuna Nagar

2. Allegation against the petitioner is that a mobile phone was recovered from the petitioner along with Rs.10,000/-. The argument addressed by the petitioner's counsel is that the recovered mobile phone was actually belonging to one Hazoor Ali. Thus, by planting some other mobile recovery, has been shown against the petitioner and a false case has been registered against him.

Apart this, petitioner is not involved in any other case of similar



nature. Thus, he prays for the grant of concession of regular bail to the petitioner.

3. On the other hand, learned State counsel has filed the custody certificate dated 16.02.2025 *qua* petitioner, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

4. Learned State counsel submits that as per the custody certificate, after arrest, petitioner remains inside jail for about 05 months and 10 days. However, there is no other case registered against him either of similar nature or any other kind.

Further submits that after completion of investigation *qua* the petitioner, challan has been submitted before the trial Court and out of total 06 prosecution witnesses, none has been examined so far.

5. I have heard learned counsel for the parties and gone through the record with their able assistance.

6. Considering the totality of circumstances, and the submissions addressed by both sides, and also noticing the fact that the petitioner is not found to be accused ever in the past except for the present case, I deem it appropriate to grant the concession of bail to the petitioner.

7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in



any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

11. Petition stands disposed of.

**(SANJAY VASHISTH)
JUDGE**

February 17, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No