



245

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19183-2025 (O&M)
Date of Decision:17.07.2025

ASHISH

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

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

Present : Mr. Ramnish Puri, 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 BNSS with a prayer to grant regular bail to him in case FIR No.767 dated 01.12.2024, registered under Sections 304, 308(5), 351(3), 111 of BNS, 2023 (111 of Bharatiya Sakshya Adhiniyam (BSA) 2023 wrongly mentioned in the FIR), Police Station Kundli District Sonipat.

2. Learned counsel for the petitioner contends that the petitioner was not named in the FIR nor he had participated in the occurrence in any manner. Even as per the case set up by the prosecution, the petitioner had only supplied the weapons, which were used by Sagar and Sandeep, co-accused. Learned counsel further contends that even otherwise, he had not demanded any amount from anyone nor had participated in the main occurrence, as per the prosecution



itself. The petitioner was arrested in the present case on 05.02.2025 and is in custody since then. After his arrest, the investigation has been completed and challan has been presented 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 is involved in 03 more cases and is a habitual offender. He further submits that the petitioner had supplied the weapons to the main accused in the present case and does not deserves the bail.

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

5. It is an admitted fact that the petitioner has not participated in the occurrence in any manner. The only role has been assigned to him that he had supplied the weapons to Sagar and Sandeep, co-accused. Apart from that no other role has been assigned to him. Moreover, the petitioner is stated in to be custody for the last about 05 months. Thus, the 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 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.

7. All other pending applications, if any, are also disposed off, accordingly.

17.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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