



232

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

CRM-M-24366-2025(O&M)

Date of Decision:21.05.2025

Jony and others

...Petitioners

vs.

State of Punjab

...Respondent

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

Present : Mr. Chandan Singh Rana, Advocate
for the petitioners.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to them in case FIR No.102 dated 09.11.2024 registered under Sections 303(2), 317(2), 3(5) of BNS, at Police Station City Morinda, District Rup Nagar.

2. Learned counsel for the petitioner contends that on the same set of allegations, one more FIR i.e. FIR No.265 dated 10.11.2024 under Sections 303(2) of BNS, 2023 was registered at Police Station Rama Mandi, District Police Commissionerate against the present petitioner and his co-accused (even though, they were not named in the FIR but they were arrested later on). He next contends that Ajay, similarly placed co-accused has been granted the concession of bail by this Court, vide order dated 08.01.2025 (Annexure P-2). The petitioners were arrested in the present case on 06.03.2025 and are in custody for the last more than 02 months. Even, the challan has been presented against the petitioners.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that one more case of similar nature is pending against them. However, he does not dispute the fact that Ajay, co-accused has been granted the concession of bail by this Court.

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

5. The case of the petitioner is at par with Ajay Kumar, co-accused, who has been granted the concession of regular bail by this Court, vide order dated 08.01.2025 (Annexure P-2). Even challan has been presented against the petitioners and the trial is not likely to conclude in near future.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

(i) The petitioners 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 them to disclose such facts to the Court or to any other authority.

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

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

(iv) The petitioners shall surrender their passports, if any, (if already not surrendered), and in case they are not holder of the same, they shall swear affidavits to that effect.

(v) The petitioners shall also file their affidavits before the concerned Court, mentioning their ordinary place of residence and number of mobile phone, which shall be used by them during the pendency of the trial. In case of change of place of residence/mobile number, they shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioners involve 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 petitioners.

7. Pending application, if any, stands also disposed of.

21.05.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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