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

**CRM-M-55947-2024 (O&M)
Date of decision : 16.01.2025**

Vikas Kumar @ Goli ...Petitioner(s)

Versus

State of Haryana ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Dinesh Kumar Prajapati, Advocate,
for the petitioner(s).

Mr. Ashok S. Chaudhry, Addl.A.G., Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short, 'the BNSS'*), for grant of bail pending trial to the petitioner in FIR No.231 dated 14.07.2024, under Sections 309(4) (Sections 309(6) & 311 added subsequently) of the Bharatiya Nyaya Sanhita, 2023 (*for short, 'the BNS'*), registered at Police Station Mulana, District Ambala, Haryana.

2. Allegations are that petitioner along with other co-accused attacked the *de facto* complainant, namely, Baljinder Singh, with sharp-edged weapon(s) and looted an amount of Rs.10,000/- along with documents kept in his bag.

3. Contends that petitioner is not named in the FIR; rather nominated on the basis of disclosure made by the main accused-Nitin



Kumar, who has already been granted the concession of bail pending trial vide order dated 10.12.2024 passed by the Coordinate Bench in CRM-M-61061-2024. Again submitted that petitioner is in custody since 18.07.2024 and charges have already been framed on 20.12.2024, but the prosecution evidence is yet to begin. Further submits that no recovery was effected from the petitioner and there is no other case pending against him.

4. Learned State counsel, on instructions, duly acknowledged the above factual position.

5. Heard both sides and perused the paper-book.

6. Concededly, petitioner is in custody since 18.07.2024; charges have already been framed on 20.12.2024, but prosecution evidence is yet to begin; therefore, conclusion of trial may take sufficient long time. It is not the allegation of State that in case, petitioner is released on bail, he shall influence the witnesses or hamper the course of trial, in any manner; thus, further incarceration of the petitioner would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).



9. The above observations may not be construed as an expression of opinion on the merits of the case.

10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

16.01.2025

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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No