



260

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

CRM-M-33532-2025

Date of Decision:07.07.2025

MUSHTAQ AHMED

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

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

Present : Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Advocate,
Mr. Paras Talwar, 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 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.194 dated 15.05.2025, registered under Sections 152, 197(1)(d) of BNS of 2023, Police Station City Fatehabad, District Fatehabad.

2. Learned Senior counsel submits that even from the allegations levelled by the complainant, no offence under Sections 152, 197(1)(d) of BNS is made out against the present petitioner. He further contends that the police had examined the passport of the petitioner and it was found that after 1990, the petitioner had never visited Pakistan in the last 35 years. Even the video in question was not created by the petitioner, but he had only forwarded the video and there is no evidence to connect him with the commission of alleged crime. The petitioner is a senior citizen and is suffering from various old age related



diseases, which is apparent from the medical records Annexures P-4 and P-5 respectively. He further contends that the petitioner tenders's unconditional apology and undertakes not to commit any such offence in future also. He further submits that the petitioner was arrested in the present case on 17.05.2025 and is in custody since then.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. In the present case, the petitioner was arrested on 17.05.2025 and is in custody since then. The prosecution is yet to lead evidence to prove the involvement of the petitioner in the crime. At this stage, nothing is to be recovered from the petitioner and the investigation is almost complete. Even otherwise, the petitioner is a senior citizen and deserves sympathetic consideration. 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.

07.07.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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