



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

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CRM-M-48758-2025
Decided on : 05.09.2025

DEVENDER SINGH ALIAS RAJU

.....PETITIONER

Versus

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Suneel Sharma, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Devender Singh @ Raju	53	13.02.2020	457, 380, 511 of IPC during investigation Sections 307, 382, 201 of IPC and 25/54/29 of Arms Act were added later on	Matlauda	Panipat



2. Learned counsel for the petitioner contends that on the basis of allegation that there was looting of ATM machine by certain persons, the FIR in question was registered. During the course of investigation total 04 accused were involved namely (i) Bhupender Singh @ Pinda, (ii) Sukhvinder Singh @ Sukha, (iii) Devender Singh @ Raju (present petitioner) and (iv) Gurmeet Singh @ Sonu. Petitioner is in custody since 07.11.2023 i.e. for a period of 01year 11 months and as of now. Out of total 18 prosecution witnesses only two have been examined.

3. Learned counsel very fairly points out to the order dated 28.01.2025 passed by the Co-ordinate Bench of this Court in CRM-M-445535-2024 (Annexure P-6) and submits that first regular bail petition was disposed of having been withdrawn by the petitioner. However, he submits that fresh cause of action accrued to the petitioner because subsequent to the withdrawal of first petition, two of the co-accused namely Bhupender Singh @ Pinda and Sukhvinder Singh @ Sukha were granted regular bail by Co-ordinate Bench of this Court vide order dated 20.08.2025 passed in CRM-M-30029-2025 (Annexure P-3). Thus, learned counsel submits that their being similar role of the petitioner as of the co-accused Bhupender Singh @ Pinda and Sukhvinder Singh @ Sukha, plea of bail qua him is also considerable on the basis of principle of parity.

4. 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 habitual offender, therefore, and does not deserve the concession of bail by this Court.

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



6. It is an admitted fact that the petitioner is in custody for the last more than 01 year and 11 months and the prosecution has been able to examine only 02 witnesses out of total 18 witnesses so far. Thus, there are no chances of early conclusion of the trial in the present case.

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

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

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

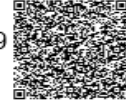
(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

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

(vi) In case, the petitioner involved 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 petitioner.

8. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him



shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

(SANJAY VASHISTH)
JUDGE

05.09.2025

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Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**