



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-50384-2025 (O&M)

Date of decision: 12.09.2025

Karan

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Gaurav Tyagi, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in FIR bearing No.10 dated 23.01.2019, registered under Sections 147/149/395/397/341 of the Indian Penal Code, 1860; Section 25 of the Arms Act, 1959 and Sections 141, 146 of the Railway Act, 1989 at Police Station GRP Rohtak.

2. Briefly summarized, the case of the prosecution is that FIR was registered on the statement of Mithu Sharma, CTI Jaipur. It was averred that on 23.01.2019, train No.12983, Garib Rath Rohtak started from Rohtak Railway Station and when the train reached near Makdoli Railway Station, at about 3:12 p.m., 8-10 persons climbed the train and pulled the chain. Out of them, 4-5 persons had muffled their faces, 3-4 persons had country made pistols and remaining had knives and they robbed the passengers.

3. Learned counsel for the petitioner contends that the petitioner



has undergone an actual custody of more than 06 years and that only 16 out of the total 42 prosecution witnesses have been examined so far. He submits that co-accused/Jai Narain has already been granted the concession of regular bail by this Court vide order dated 26.08.2025. He further contends that allegedly a recovery of a sum of Rs.10,000/- was effected from the petitioner and that too after six months of the incident having taken place. He contends that at the time of alleged recovery, the petitioner was already in Police custody.

4. Learned counsel for respondent-State, on the other hand, contends that the petitioner was actively involved in the commission of the offence and the role attributed to the petitioner is distinct from the aforesaid co-accused/Jai Narain. She submits that the petitioner is also involved in other cases. She however is not in position to dispute that the petitioner has undergone an actual custody of more than 06 years in the present case and that the trial is still at an initial stage as only 16 witnesses, out of the total of 42 witnesses have been examined so far.

5. Even though the petitioner may be involved in other cases, however, an expeditious decision in trial is also an integral part of administration of justice. The petitioner having already undergone a substantial sentence of 06 years in the present case, his further incarceration should not be continued for an indefinite period and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

6. Accordingly, the instant petition is allowed and the petitioner is



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ordered to be admitted to regular bail subject to him furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

12.09.2025*Mangal Singh*

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